



1600 WELLS FARGO CAPITOL CENTER  
150 FAYETTEVILLE STREET  
RALEIGH, NC 27601

T 919.839.0300  
F 919.839.0304  
WWW.BROOKSPIERCE.COM

August 23, 2016

*Via Overnight Mail*

Melanie A. Godschall  
Investigations and Hearings Division  
Enforcement Bureau  
Federal Communications Commission  
9300 East Hampton Drive  
Capitol Heights, MD 20743

Re: File No. EB-IHD-16-00021742

Dear Ms. Godschall:

Transmitted herewith, on behalf of Gulf-California Broadcast Company, is the Response to Letter of Inquiry dated July 25, 2016 in the above-referenced file number.

If you should have any questions in connection with this matter, it is respectfully requested that you communicate with this office.

Sincerely,

BROOKS, PIERCE, McLENDON,  
HUMPHREY & LEONARD, LLP

Elizabeth E. Spainhour  
*Counsel to Gulf-California Broadcast Company*

cc: Jeffrey J. Gee

Enclosure

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Gulf-California Broadcast Company.	)	File No. EB-IHD-16-00021742
	)	
Licensee of KESQ-TV,	)	
Palms Springs, California	)	

**RESPONSE OF GULF-CALIFORNIA BROADCAST COMPANY  
TO THE JULY 25, 2016, LETTER OF MATTHEW L. CONATY**

Gulf-California Broadcast Company (“Gulf-California”), licensee of Station KESQ-TV, Palm Springs, CA (“KESQ”), by its attorneys, submits this response to the letter dated July 25, 2016, from Matthew L. Conaty and its attachments (the “Letter”) in connection with the above-captioned matter. KESQ and its commonly owned stations KCWQ-LD, Palm Springs, KCWQ-LP, Palm Springs, KDFX-CD Indio/Palm Springs, K27DS, Yucca Valley, CA, K31MF-D, Yucca Valley, CA, K42LC-D, Yucca Valley, CA, KPSP-CD, Cathedral City, CA, KUNA-LP, Indio, CA, KUNA-LD, Palm Springs, CA, and KYAV-LD, Palm Springs, CA (collectively, the “Station” as defined in the Letter) serve the Palm Springs Designated Market Area. Unless otherwise defined herein, capitalized terms used in this response have the meanings set forth in the Letter.

**I.  
Background and Summary**

Gulf-California and its corporate parent, News-Press & Gazette Company (“NPG”), take very seriously the allegations raised in the Letter and in the anonymous complaint attached to the Letter. The thrust of the anonymous complaint appears to be that two on-air employees of Gulf-California allegedly accepted gratuities from certain merchants in exchange for broadcast mentions of the providers of these gratuities, without providing an appropriate sponsorship identification, in

alleged violation of Sections 317 and 507 of the Act and Section 73.1212 of the Rules. More specifically, it appears that the social media postings of two young Station on-air employees on Facebook, Twitter, and Instagram acknowledging or providing “shout outs” to local businesses related to wardrobe, jewelry, and services, along with the anonymous complaint, have caused the Commission to question whether such wardrobe, jewelry, and services being acknowledged were actually provided to these employees in exchange for mentions on the air over the Station’s Broadcast facilities.<sup>1</sup> Following receipt of the Letter on July 25, 2016, counsel was immediately notified of the inquiry and engaged to begin an investigation of the allegations raised.

Following inquiry and investigation at the station level and at the corporate parent level, Gulf-California has uncovered absolutely no facts or circumstances that suggest any violation of the relevant provisions of the Act or Rules has occurred related to the merchants or social media posts identified in the Letter. Indeed, Gulf-California and NPG are aware of no instance at the Station in which anything of value was promised or received by Station employees, representatives, or agents in exchange for the Broadcast of Programming.

Through the course of investigating this matter, Gulf-California management and NPG have learned that one of the two employees (and, to a lesser extent, the other) accepted loans of clothing and jewelry, and in a few instances aesthetics services from local merchants, in exchange for acknowledging these local merchants on the employees’ *personal* social media accounts. **In no instance were the items or services provided in exchange for the Broadcast of any material whatsoever.** See Declaration of Bianca Rae Goutos, ¶ 8 (hereinafter, “Goutos Declaration”);

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<sup>1</sup> Although Gulf-California does not know the identity of the anonymous complainant, it has a good-faith reason to believe that the complainant is either a former boyfriend of Ms. Bianca Rae Goutos, or a friend of this former boyfriend, or a former employee of Gulf-California, whose primary motivations are personal ill will and a desire to shame Ms. Goutos and injure her career and that of her friend and colleague Ms. Alexandra Pawelski.

Declaration of Alexandra Pawelski, ¶ 8 (hereinafter, “Pawelski Declaration”). Each young woman at issue understood that acceptance of anything in exchange for Broadcast mentions would constitute “payola”—prohibited by the law and by company policies—in the absence of an appropriate disclosure. *See* Goutos Declaration, ¶ 6; Pawelski Declaration, ¶ 6.

In addition, Gulf-California and NPG have learned through this investigation that Ms. Goutos had a practice of receiving loans of clothing or accessories, and occasionally hair and makeup services, from area merchants which she would wear on and off the air. *See* Goutos Declaration, ¶ 13. In each case these local merchants approached or had others approach Ms. Goutos and invited her to visit their stores and proposed loaning her items in exchange for acknowledging the merchants as providers of the items on social media. *See* Goutos Declaration, ¶ 13. Ms. Goutos regularly posted “looks of the day” to her personal social media accounts in which she took pictures of herself in these loaned outfits and identified which store provided them (or, in some cases, identified who did her hair or makeup). *See* Letter, Attachment C; Goutos Declaration, ¶ 13. NPG learned of this only during the course of this investigation, although it appears some personnel at Gulf-California knew earlier about the arrangement and counseled Ms. Goutos against continuing the practice. *See* Declaration of Robert Smith, ¶ 7 (hereinafter “Smith Declaration”).

Significantly, however, Ms. Goutos never received any consideration, including, but not limited to, loans of clothing or accessories or free services, in exchange for the Broadcast of any Programming. *See* Goutos Declaration, ¶ 8. Likewise, Ms. Pawelski never received any consideration, including, but not limited to, loans of clothing or accessories or free services, in exchange for the Broadcast of any Programming. *See* Pawelski Declaration, ¶ 8. Indeed, with two

exceptions described in response to Inquiry 15 below, the merchants identified in the Letter were never mentioned on air by either woman in connection with the issues raised in the Letter.

Notwithstanding that the activities described herein do not present a violation of the Act or the Rules, Gulf-California takes seriously employee use of social media and the impression social media postings create in the community—both of Station employees and the Station, itself. As discussed further below, Gulf-California has begun the process to update and revise its policies and procedures, including its Social Networking Policy, to unambiguously address this issue.

## **II. Response to Commission Inquiries**

The following numbered paragraphs correspond and are responsive to numbered paragraphs 1 through 33 listed under the heading “Attachment A” as set forth in the Letter.

*Inquiry 1: Describe the business structure of Gulf-California (e.g., corporate, sole proprietorship, partnership, limited liability company, etc.). If it is a corporation, give the date and location of its incorporation and describe what type of corporation it is (e.g., public or privately held). If it is a sole proprietorship, partnership, or limited liability company, Identify each owner, partner or member, as applicable. In addition, Identify all parent and affiliate companies of Gulf-California and explain their relationship with Gulf-California.*

**Gulf-California Response:** Gulf-California is a privately-held, family-owned Nevada corporation incorporated on May 23, 1984. It is a wholly-owned subsidiary of NPG. Gulf-California has no subsidiaries. NPG is also the parent company of the following subsidiaries, some of which have no relation to the broadcast industry, and each of which is an affiliate of Gulf-California:

- NPG Aircraft, Inc.<sup>2</sup>

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<sup>2</sup> This entity is in the process of being terminated.

- NPG Newspapers, Inc.
- NPG Holdings, Inc., which is the general partner of NPG of Texas, L.P.
- NPG of Oregon, Inc.
- NPG of Idaho, Inc.
- Pikes Peak Television, Inc., which is the sole member of Pikes Peak Radio, LLC
- News-Press TV, LLC
- NPG of Missouri, LLC
- NPG of California, LLC
- NPG of Monterey-Salinas CA, LLC
- NPG of Yuma-El Centro, LLC
- Echo Cloud Solutions, LLC
- Lumen, LLC
- Online Tech, LLC, which is the sole member of 708 Development Group, LLC
- NPG Investments, LLC
- NPG Management, LLC
- NPG Licenses, LLC

*Inquiry 2: Identify the Licensee officers and directors and the positions that they held, respectively, for each year from 2015 to the present. If it is a sole proprietorship, partnership, or limited liability company, Identify each owner, partner, or members, as applicable.*

**Gulf-California Response:** Licensee officers and directors and positions held by year are listed in the tables below.

## 2015

Company	Officers (Title)	Directors (Title)
News-Press & Gazette Company	<ul style="list-style-type: none"> <li>• David R. Bradley (Chief Executive Officer)</li> <li>• Brian A. Bradley (President )</li> <li>• Henry H. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Executive Vice President and Chief Financial Officer)</li> <li>• Michael Meara (President – Broadcast)</li> <li>• William T. Severn (Executive Vice President and Chief</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley</li> <li>• Henry H. Bradley (Assistant Secretary, and Treasurer)</li> <li>• J. Timothy Hannan (Secretary)</li> <li>• Eric A. Bradley</li> <li>• Katherine Bradley Bowlin</li> <li>• Stephane Bradley Cooch</li> <li>• David Rall Bradley III</li> </ul>

	<p>Operating Officer – Data Services)</p> <ul style="list-style-type: none"> <li>• William B. Catherall (Executive Vice President and Chief Technology Officer)</li> </ul>	
NPG Newspapers, Inc.	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• Lee M. Sawyer (Executive Vice President and Chief Operating Officer)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
NPG Aircraft, Inc.	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
NPG Holdings, Inc.	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
NPG of California, LLC  (News-Press & Gazette Company, Sole Member)	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
NPG of Missouri, LLC  (News-Press & Gazette)	<ul style="list-style-type: none"> <li>• Katherine Bradley Bowlin (President)</li> <li>• David R. Bradley (Executive Vice President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• Katherine Bradley Bowlin (Chairman)</li> <li>• David R. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>

Company, Sole Member)	<ul style="list-style-type: none"> <li>• J. Timothy Hannan (Vice President)</li> </ul>	
NPG of Idaho, Inc.	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
NPG of Oregon, Inc.	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
Gulf-California Broadcast Company	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
Pikes Peak Television, Inc.	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
Pikes Peak Radio, LLC  (Pikes Peak Television, Inc., Sole Member)	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
NPG of Monterey-Salinas CA, LLC  (News-Press & Gazette Company, Sole Member)	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>



<p>NPG of Texas, L.P.</p> <p>(NPG Holdings, Inc., General Partner)</p> <p>(News-Press &amp; Gazette Company, Limited Partner)</p>	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
<p>News-Press TV, LLC</p> <p>(News-Press &amp; Gazette Company, Sole Member)</p>	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• Eric A. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
<p>NPG of Yuma-El Centro, LLC</p> <p>(News-Press &amp; Gazette Company, Sole Member)</p>	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
<p>Echo Cloud Solutions, LLC</p> <p>(News-Press &amp; Gazette Company, Sole Member)</p>	<ul style="list-style-type: none"> <li>• Brian A. Bradley (President)</li> <li>• David R. Bradley (Vice President)</li> <li>• William T. Severn (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• Brian A. Bradley (Chairman)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
<p>NPG Management, LLC</p>	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>

NPG Investments, LLC	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
Online Tech, LLC  (News-Press & Gazette Company, Majority Member)	<ul style="list-style-type: none"> <li>• Yan T. Ness (Chief Executive Officer)</li> </ul>	<ul style="list-style-type: none"> <li>• Brian A. Bradley (Chairman)</li> <li>• David R. Bradley (Secretary)</li> <li>• J. Timothy Hannan</li> <li>• William T. Severn</li> <li>• Chris Crosby</li> </ul>
Lumen, LLC  (News-Press & Gazette Company, Member)	<ul style="list-style-type: none"> <li>• Josh Drake (Manager)</li> </ul>	<ul style="list-style-type: none"> <li>• Josh Drake</li> </ul>
708 Development Group  (Online Tech, LLC, Sole Member)	<ul style="list-style-type: none"> <li>• David R. Bradley (Manager)</li> <li>• Brian A. Bradley (Manager)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley</li> <li>• Brian A. Bradley</li> </ul>

## 2016

Company	Officers (Title)	Directors (Title)
News-Press & Gazette Company	<ul style="list-style-type: none"> <li>• David R. Bradley (Chief Executive Officer)</li> <li>• Brian A. Bradley (President )</li> <li>• Henry H. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Executive Vice President and Chief Financial Officer)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley</li> <li>• Henry H. Bradley (Assistant Secretary, and Treasurer)</li> <li>• J. Timothy Hannan (Secretary)</li> <li>• Eric A. Bradley</li> <li>• Katherine Bradley Bowlin</li> <li>• Stephane Bradley Cooch</li> <li>• David Rall Bradley III</li> </ul>

	<ul style="list-style-type: none"> <li>• Michael Meara (President – Broadcast)</li> <li>• William T. Severn (Executive Vice President and Chief Operating Officer – Data Services)</li> <li>• William B. Catherall (Executive Vice President and Chief Technology Officer)</li> <li>• Laura Clark (Executive Vice President of Human Resources)</li> <li>• Eric A. Bradley (Executive Vice President)</li> </ul>	
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Gulf-California Broadcast Company	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
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Pikes Peak Radio, LLC  (Pikes Peak Television, Inc., Sole Member)	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>







<p>NPG of Monterey-Salinas CA, LLC</p> <p>(News-Press &amp; Gazette Company, Sole Member)</p>	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
<p>NPG of Texas, L.P.</p> <p>(NPG Holdings, Inc., General Partner)</p> <p>(News-Press &amp; Gazette Company, Limited Partner)</p>	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
<p>News-Press TV, LLC</p> <p>(News-Press &amp; Gazette Company, Sole Member)</p>	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• Eric A. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
<p>NPG of Yuma-El Centro, LLC</p> <p>(News-Press &amp; Gazette Company, Sole Member)</p>	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
<p>Echo Cloud Solutions, LLC</p> <p>(News-Press &amp; Gazette Company, Sole Member)</p>	<ul style="list-style-type: none"> <li>• Brian A. Bradley (President)</li> <li>• David R. Bradley (Vice President)</li> <li>• William T. Severn (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• Brian A. Bradley (Chairman)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>

NPG Management, LLC	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
NPG Investments, LLC	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>
Online Tech, LLC  (News-Press & Gazette Company, Majority Member)	<ul style="list-style-type: none"> <li>• Yan T. Ness (Chief Executive Officer)</li> </ul>	<ul style="list-style-type: none"> <li>• Brian A. Bradley (Chairman)</li> <li>• David R. Bradley (Secretary)</li> <li>• J. Timothy Hannan</li> <li>• William T. Severn</li> <li>• Chris Crosby</li> </ul>
Lumen, LLC  (News-Press & Gazette Company, Member)	<ul style="list-style-type: none"> <li>• Josh Drake (Manager)</li> </ul>	<ul style="list-style-type: none"> <li>• Josh Drake</li> </ul>
708 Development Group  (Online Tech, LLC, Sole Member)	<ul style="list-style-type: none"> <li>• David R. Bradley (Manager)</li> <li>• Brian A. Bradley (Manager)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley</li> <li>• Brian A. Bradley</li> </ul>
NPG Licenses, LLC  (News-Press & Gazette Company, Sole Member)	<ul style="list-style-type: none"> <li>• David R. Bradley (President)</li> <li>• Brian A. Bradley (Executive Vice President)</li> <li>• J. Timothy Hannan (Vice President)</li> </ul>	<ul style="list-style-type: none"> <li>• David R. Bradley (Chairman)</li> <li>• Brian A. Bradley (Assistant Secretary)</li> <li>• J. Timothy Hannan (Secretary and Treasurer)</li> </ul>







*Inquiry 3: Identify the corporate headquarters address of the Licensee and the States in which the Licensee is authorized to do business, indicate whether it is in good standing in each State. Identify the Tax Identification Number of the Licensee.*

**Gulf-California Response:** The table below provides the requested information.

Company and Address	States Authorized	Good Standing (Y/N)	Tax ID No.
News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri California Oregon Colorado Idaho	Yes Yes Yes Yes Yes	██████████
NPG Newspapers, Inc. c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri Kansas	Yes Yes	██████████
NPG Aircraft, Inc. c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri	Yes	██████████
NPG Holdings, Inc. c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri	Yes	██████████
NPG of California, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri California	Yes Yes	██████████
NPG of Missouri, LLC	Missouri	Yes	██████████

c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501			
NPG of Idaho, Inc. c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri Idaho	Yes Yes	
NPG of Oregon, Inc. c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri Oregon	Yes Yes	
Gulf-California Broadcast Company c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Nevada Arizona California	Yes Yes Yes	
Pikes Peak Television, Inc. c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri Colorado	Yes Yes	
Pikes Peak Radio, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Colorado	Yes	
NPG of Monterey-Salinas CA, LLC c/o News-Press & Gazette Company	Missouri California	Yes Yes	



825 Edmond St. Saint Joseph, MO 64501			
NPG of Texas, L.P. c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Texas Missouri New Mexico	Yes Yes Yes	
News-Press TV, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri	Yes	
NPG of Yuma-El Centro, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri Arizona California	Yes Yes Yes	
Echo Cloud Solutions, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri	Yes	
NPG Management, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri	Yes	
NPG Investments, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri	Yes	

Online Tech, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri Michigan Ohio Indiana	Yes Yes Yes Yes	██████████
Lumen, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Kansas	Yes	██████████
NPG Licenses, LLC c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri	Yes	██████████
708 Development Group c/o News-Press & Gazette Company 825 Edmond St. Saint Joseph, MO 64501	Missouri Indiana	Yes Yes	██████████

*Inquiry 4: Identify the registered agent of the Licensee within the United States.*

**Gulf-California Response:** The table below provides the names and addresses of the Licensee's registered agents in the jurisdictions in which the companies are qualified to do business.

Company	Registered Agent
News-Press & Gazette Company	<b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106

	<p><b>California:</b> Michael S. Stutz 31276 Dunham Way Thousand Palms, CA 92276</p> <p><b>Oregon:</b> Daniel J. Bauer 62990 O. B. Riley Rd. Bend, OR 97701</p> <p><b>Colorado:</b> Timothy A. Larson c/o KRDO-TV 399 S. 8th Street Colorado Springs, CO 80905-1803</p> <p><b>Idaho:</b> Lee Shumway 1915 Yellowstone Hwy Idaho Falls, ID 83401-6450</p>
NPG Newspapers, Inc.	<p><b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106</p> <p><b>Kansas:</b> Spenserv, Inc. 9401 Indian Creek Pkwy, Ste 700 Overland Park, KS 66210</p>
NPG Aircraft, Inc.	<p><b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106</p>
NPG Holdings, Inc.	<p><b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106</p>
NPG of California, LLC	<p><b>Missouri:</b> J. Timothy Hannan 825 Edmond Street P.O. Box 29 St. Joseph, MO 64501</p>

	<b>California:</b> Capitol Corporate Services, Inc.
NPG of Missouri, LLC	<b>Missouri:</b> J. Timothy Hannan 825 Edmond Street P.O. Box 29 St. Joseph, MO 64501
NPG of Idaho, Inc.	<b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106  <b>Idaho:</b> Lee Shumway 1915 Yellowstone Hwy Idaho Falls, ID 83401-6450
NPG of Oregon, Inc.	<b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106  <b>Oregon:</b> Daniel J. Bauer 62990 O. B. Riley Rd. Bend, OR 97701
Gulf-California Broadcast Company	<b>Nevada:</b> Capitol Corporate Services, Inc. 202 South Minnesota St. Carson City, NV 89703  <b>Arizona:</b> <sup>3</sup> Deborah Weekes 1965 S. 4 <sup>th</sup> Ave. Yuma, AZ 85364-5666  <b>California:</b> <sup>4</sup> Michael S. Stutz

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<sup>3</sup> NPG intends to update the registered agent information.

<sup>4</sup> NPG intends to update the registered agent address to reflect 31276 Dunham Way  
Thousand Palms, CA 92276.

	42-650 Melanie Pl. Palm Desert, CA 92211-5170
Pikes Peak Television, Inc.	<b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106  <b>Colorado:</b> Timothy A. Larson c/o KRDO-TV 399 S. 8th Street Colorado Springs, CO 80905-1803
Pikes Peak Radio, LLC	<b>Colorado:</b> Timothy A. Larson c/o KRDO-TV 399 S. 8th Street Colorado Springs, CO 80905-1803
NPG of Monterey-Salinas CA, LLC	<b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106  <b>California:</b> Capitol Corporate Services, Inc.
NPG of Texas, L.P.	<b>Texas:</b> Kevin Lovell 4140 Rio Bravo St. El Paso, TX 79902
News-Press TV, LLC	<b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106
NPG of Yuma-El Centro, LLC	<b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106  <b>Arizona:</b> Capitol Corporate Services, Inc. 815 N. 1 <sup>st</sup> Ave, Ste 4

	<p>Phoenix, AZ 85003</p> <p><b>California:</b> Capitol Corporate Services, Inc.</p>
Echo Cloud Solutions, LLC	<p><b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106</p>
NPG Management, LLC	<p><b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106</p>
NPG Investments, LLC	<p><b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 6410</p>
Online Tech, LLC	<p><b>Missouri:</b> J. Timothy Hannan 825 Edmond Street P.O. Box 29 St. Joseph, MO 64501</p> <p><b>Michigan:</b> Yan T. Ness 305 E. Eisenhower, Ste 300 Ann Arbor, MI 48108</p> <p><b>Ohio:</b> Don Trojan 6704 Willowood Maumee, OH 43537</p> <p><b>Indiana:</b> Capitol Corporate Services Inc. 3310 Busy Bee Lane Indianapolis, IN 46227</p>
Lumen, LLC	<p><b>Kansas:</b> Spenserv, Inc. 9401 Indian Creek Parkway, Suite 700 Building 40 Overland Park, KS 66210</p>

NPG Licenses, LLC	<b>Missouri:</b> Spenserv, Inc. 1000 Walnut Street, Suite 1400 Kansas City, MO 64106
708 Development Group	<b>Missouri:</b> J. Timothy Hannan 825 Edmond Street P.O. Box 29 St. Joseph, MO 64501  <b>Indiana:</b> Capitol Corporate Services Inc. 3310 Busy Bee Lane Indianapolis, IN 46227

*Inquiry 5: Identify the FCC Registration Number (FRN) or FRNs of Gulf-California and any parent and affiliate companies of Gulf-California.*

**Gulf-California Response:** Listed below are the FCC Registration Numbers currently in use by Gulf-California and its parent and affiliated companies. The FCC's CORES database may have additional FCC Registration Numbers associated with the companies listed below that are not currently in use.

Company	FRN Number
News-Press & Gazette	0013872742 0019430230
Gulf-California Broadcast Company	0001590330
News-Press TV, LLC	0021454004
NPG of California, LLC	0022027569
NPG of Idaho, Inc.	0013866462
NPG of Missouri, LLC	0021922711
NPG of Monterey-Salinas CA, LLC	0023286198
NPG of Oregon, Inc.	0006885586
NPG of Texas, L.P.	0006548028
NPG of Yuma-El Centro, LLC	0023286214
Pikes Peak Radio, LLC	0015304884
Pikes Peak Television, Inc.	0014920581

*Inquiry 6: Identify any licenses, permits, certificates, or other authorizations, including any Section 214 authorization for the resale of international long distance service, issued by the Commission held by Gulf-California and/or held by any parent or affiliate companies of Gulf-California.*

**Gulf-California Response:** As Inquiry 6 requests information related to Gulf-California rather than the Licensee (as defined in the Letter), listed below are the licenses, permits, and authorizations issued by the Commission held by Gulf-California. Copies of these licenses, permits, and authorizations are maintained by the Commission and by the Station's Chief Engineer John Cook located at KESQ-TV, 31276 Dunham Way, Thousand Palms, California 92276 (telephone (760) 343-5757 and email john.cook@cbslocal2.com).

Call Letters	Facility ID #	Community of License	Class of Service	Licenses and Authorizations
KCWQ-LD	167761	Palm Springs, CA	LD	BLDTL-20110819AAU
KCWQ-LP	130100	Palm Springs, CA	TX	BLTVL-20060928ALV
KDFX-CD	51207	Indio/Palm Springs, CA	DC	BLDTA-20141219ACH
KESQ	52181	Indio, CA	AM	BR-20130801AQN
KESQ-TV	25577	Palm Springs, CA	DT	BLCDT-20090612AGZ
K27DS	25576	Yucca Valley, CA	TX	BDFCDTT-20120606AAZ
K31MF-D	186768	Yucca Valley, CA	LD	BNPDTL-20100512AFR
K42LC-D	186844	Yucca Valley, CA	LD	BNPDTT-20100513ACR
KPSP-CD	10535	Cathedral City, CA	DC	BLDTA-20100930AVC
KUNA-FM	52182	La Quinta, CA	FM	BMLH-20010619AAJ
KUNA-LP	19779	Indio, CA	TX	BDFCDTL-20110207ACY
KUNA-LD	167763	Palm Springs, CA	LD	BDCCDTL-20061030ABB
KYAV-LD	2961	Palm Springs, CA	LD	BPDVL-20130508AIT
K300CN	140591	Dos Palmas Corners, CA	FX	BNPFT-20130815ACH
WPPA715			RP	
WPPA723			RP	
KC24248			RP	
WLE297			RP	
WPMJ941			RP	
WPMJ942			RP	
WPPA713			RP	
WPPC296			RP	
WPPC300			RP	
WQPG921			TI	
WQPG928			TI	
WQPG930			TS	



WQRG564			MG	
WQRG565			MG	
E040424			Receive Only Earth Station	
1220472			ASR	Palm Springs, CA
1225054			ASR	Glamis, CA
1260185			ASR	Indio, CA

Gulf-California will provide a complete list of all licenses, permits, and authorizations issued by all Bureaus of the Commission for entities in the NPG corporate family upon request of Commission staff. However, with respect to affiliated broadcast entities in the NPG corporate family, the list below includes the call signs and other pertinent identifying information associated with Media Bureau stations.

Call Letters	Facility ID #	Community of License	Class of Service	Name of Licensee
KBJO-LD	188055	Saint Joseph, MO	LD	News-Press TV, LLC
KNPG-LD	188057	Saint Joseph, MO	LD	
KNPN-LD	188056	Saint Joseph, MO	LD	
KEYT-TV	60637	Santa Barbara, CA	DT	NPG of California, LLC
K26MT-D	198010	Paso Robles, CA	LD	
K31KE-D	60638	San Luis Obispo, ETC., CA	LD	
K44DN	63172	Paso Robles, CA	TX	
KKFX-CD	33870	San Luis Obispo, CA	DC	
KSBB-CD	60639	Santa Barbara, CA	DC	
KIFI-TV	66258	Idaho Falls, ID	DT	
K21JC-D	168290	Pocatello, ID	LD	
K22IK-D	168284	Rexburg, ETC., ID	LD	NPG of Idaho, Inc.
K22IM-D	168282	Challis, ID	LD	
K24HU-D	168289	Burley, ETC., ID	LD	
K27KP-D	184149	Driggs, ID	LD	
K29HG-D	66255	Jackson, WY	LD	
K36JD-D	168285	Jackson, WY	LD	
K49ND-D	66257	Fish Creek, ID	DC	
KMIZ	63164	Columbia, MO	DT	NPG of Missouri, LLC
K18KK-D	187925	Columbia, MO	LD	
KQFX-LD	56176	Columbia, MO	LD	
KION-TV	26249	Monterey, CA	DT	NPG of Monterey-Salinas CA, LLC
KMUV-LP	59362	Monterey, CA	TX	
KFXO-LD	35464	Bend, OR	DC	NPG of Oregon, Inc.
K45KM-D	34879	Bend, OR	LD	
KQRE-LD	189246	Bend, OR	LD	

KTVZ	55907	Bend, OR	DT	
K02JL	36176	La Pine, OR	TX	
K05JV	55905	La Pine, OR	TX	
K13JF	36177	La Pine, OR	TX	
K22IL-D	168202	Prineville, ETC., OR	LD	
K24JE-D	50630	Sunriver, OR	LD	
K27DO-D	35466	Bend, ETC., OR	LD	
K30JT-D	168209	La Pine, OR	LD	
K32CC	36174	Montgomery Ranch, ETC., OR	TX	
K38DT-D	36540	North La Pine, OR	LD	
KECY-TV	51208	El Centro, CA	DT	NPG of Yuma-El Centro, LLC
K48NG-D	181313	El Centro, CA	DC	
KESE-LP	19781	Yuma, AZ	TX	Pikes Peak Radio, LLC
KRDO	66250	Colorado Springs, CO	AM	Pikes Peak Television, Inc.
KRDO-TV	52579	Colorado Springs, CO	DT	
K20JG-D	168355	Salida, ETC., CO	LD	
K28KC-D	168352	Canon City, CO	LD	
K36JB-D	168354	Cripple Creek, CO	LD	
K39CD	52581	Lake George, CO	TX	
K45KB-D	168353	Lake George, CO	LD	
KTLO-LP	64981	Colorado Springs, CO	TX	
KTLP-LP	15772	Pueblo, CO	TX	
KRDO-FM	50402	Security, CO	FM	
K223CU	155345	Colorado Springs, CO	TX	NPG Licenses, LLC
KVIA-TV	49832	El Paso, TX	DT	NPG of Texas, L.P.
K19HV	49835	Deming, NM	TX	
K21LR-D	189260	Alamogordo, NM	LD	
K31KB-D	168555	Deming, NM	LD	
K38MH-D	168556	Las Cruces & Organ, NM	LD	
K40BP	49834	Alamogordo, NM	TX	

Neither Gulf-California, nor its parent company, nor any of its affiliates is the holder of a Section 214 license, permit, or authorization for the resale of international long distance service.

*Inquiry 7: State whether Gulf-California has received any complaints or reports related to compliance with the sponsorship identification requirements of the Act and the Rules. If so, provide full details of such complaints, including the dates the complaints or reports were received, a description of the complaint or report, and the contact information of the complainant or reporter.*

*In addition, if Gulf-California has received any such complaints or reports, state what actions, if any Gulf-California has taken in response.*

**Gulf-California Response:** Other than the Letter, after inquiry and investigation, Gulf-California has not received any complaints or reports related to compliance with the sponsorship identification requirements of the Act and the Rules. *See* Declaration of Michael Stutz, ¶ 9 (hereinafter, “Stutz Declaration”).

*Inquiry 8: Identify Bianca Rae, the dates of her employment by Licensee, and chronologically, the title and nature of each position she has held with the Licensee.*

**Gulf-California Response:** Bianca Rae’s full name is Bianca Rae Goutos. Her business address is KESQ-TV, 31276 Dunham Way, Thousand Palms, CA 92276. Her email address is bianca.rae@kesq.com. She can be reached by telephone at the station’s main telephone number: (760) 773-0342. Her job titles, dates of employment, and the nature of each position she has held with the Licensee are listed below:

- Reporter, July 18, 2011, through May 5, 2014. In this role, Ms. Goutos served as a general assignment reporter covering news stories of interest in the Palm Springs market. *See* Goutos Declaration, ¶ 3.
- Anchor/Reporter, May 5, 2014, to present (promotion). In this role, from May 2014 through roughly June 2015, Ms. Goutos served as the anchor of weekend newscasts broadcast on Gulf-California stations. She also was a reporter covering entertainment stories of interest in the Palm Springs market. In June 2015, Ms. Goutos’s anchoring duties changed. As of June 2015, Ms. Goutos anchors Gulf-California’s morning newscasts each weekday. She also performs occasional

entertainment reporter duties covering news stories of interest in the Palm Springs market a few times per month. *See* Goutos Declaration, ¶ 3.

*Inquiry 9: Identify Alexandra Pierce, the dates of her employment by Licensee, and chronologically, the title and nature of each position she has held with the Licensee.*

**Gulf-California Response:** Alexandra Pierce's full name is Alexandra Pawelski. Her business address is KESQ-TV, 31276 Dunham Way, Thousand Palms, CA 92276. Her email address is alexandra.pierce@kesq.com. She can be reached by telephone at the station's main telephone number: (760) 773-0342. Her job titles, dates of employment, and the nature of each position she has held with the Licensee are listed below:

- Reporter, April 3, 2015, to present. In this role, Ms. Pawelski serves as a general assignment reporter covering news stories of interest in the Palm Springs market Wednesday through Sunday each week. In October 2015, Ms. Pawelski's duties were expanded to include anchoring of weekend morning newscasts broadcast on Gulf-California stations. She continues to also serve as Reporter. *See* Pawelski Declaration, ¶ 3.

*Inquiry 10: State whether Bianca Rae received or was promised Consideration from any source including, but not limited to, the Persons listed in Attachment B, in exchange for the Broadcast of Programming on any Station. If so:*

- (a) *Identify the Persons from whom such consideration was received or promised;*
- (b) *State the nature and value of the Consideration involved;*
- (c) *State the dates on which the Consideration was promised or received;*

- (d) *Provide a description of the agreement, including whether the agreement was oral or written, by which Bianca Rae received or was promised Consideration in exchange for the Broadcast of programming;*
- (e) *Identify the Persons who negotiated, approved, or executed the agreement;*
- (f) *State the dates, times, and Station(s) on which the Programming was Broadcast pursuant to the agreement;*
- (g) *Provide a full description of the Broadcast during which the Programming aired, including the content of the Broadcast and whether each such Broadcast of the Programming was live or recorded;*
- (h) *State whether each Broadcast of the Programming followed a script and if so, Identify all of the Persons responsible for drafting, editing, and approving each script;*
- (i) *Identify all Programming Personnel involved in each Broadcast of the Programming and fully describe each Person's respective role in the Broadcast process; and*
- (j) *State whether the Licensee announced that such Programming was aired in exchange for Consideration and if so, specify the manner in which the sponsorship identification occurred.*

**Gulf-California Response:** Bianca Rae Goutos has not received or been promised Consideration from any source including, but not limited to, the Persons listed in Attachment B, in exchange for the Broadcast of Programming on any Station. See Goutos Declaration, ¶ 8. Accordingly, there is no information to provide in response to Inquiries 10(a) through 10(j).

*Inquiry 11: State whether Alexandra Pierce received or was promised Consideration from any source including, but not limited to, the Persons listed in Attachment B, in exchange for the Broadcast of Programming on any Station. If so:*

- (a) Identify the Persons from whom such consideration was received or promised;*
- (b) State the nature and value of the Consideration involved;*
- (c) State the dates on which the Consideration was promised or received;*
- (d) Provide a description of the agreement, including whether the agreement was oral or written, by which Alexandra Pierce received or was promised Consideration in exchange for the Broadcast of programming;*
- (e) Identify the Persons who negotiated, approved, or executed the agreement;*
- (f) State the dates, times, and Station(s) on which the Programming was Broadcast pursuant to the agreement;*
- (g) Provide a full description of the Broadcast during which the Programming aired, including the content of the Broadcast and whether each such Broadcast of the Programming was live or recorded;*
- (h) State whether each Broadcast of the Programming followed a script and if so, Identify all of the Persons responsible for drafting, editing, and approving each script;*
- (i) Identify all Programming Personnel involved in each Broadcast of the Programming and fully describe each Person's respective role in the Broadcast process; and*

- (j) *State whether the Licensee announced that such Programming was aired in exchange for Consideration and if so, specify the manner in which the sponsorship identification occurred.*

**Gulf-California Response:** Alexandra Pierce has not received or been promised Consideration from any source including, but not limited to, the Persons listed in Attachment B, in exchange for the Broadcast of Programming on any Station. *See* Pawelski Declaration, ¶ 8. Accordingly, there is no information to provide in response to Inquiries 11(a) through 11(j).

*Inquiry 12: For each instance of Programming depicted or referenced in Attachment C, provide the following information or, if such information has been previously provided in response to Inquiries 10 and 11 above, provide a reference to such information contained within those responses:*

- (a) *State whether the Licensee or any Licensee employees, representatives, or agents received or were promised Consideration from any source including, but not limited to, the Persons listed in Attachment B, in exchange for the Broadcast of Programming on any Station. If so:*
- i. *Identify the Persons from whom such consideration was received or promised;*
  - ii. *State the nature and value of the Consideration involved;*
  - iii. *State the dates on which the Consideration was promised or received;*
  - iv. *Provide a description of the agreement, including whether the agreement was oral or written, by which the Licensee and/or its employees, representatives, or agents received or were promised Consideration in exchange for the Broadcast of Programming;*

- v. *Identify the Persons who negotiated, approved, or executed the agreement;*
- vi. *State the dates, times, and Station(s) on which the Programming was Broadcast pursuant to the agreement;*
- vii. *Provide a full description of the Broadcast during which the Programming aired, including the content of the Broadcast and whether each such Broadcast of the Programming was live or recorded;*
- viii. *State whether each Broadcast of the Programming followed a script and if so, Identify all Persons responsible for drafting, editing, and approving each script;*
- ix. *Identify all Programming Personnel involved in each Broadcast of the Programming and fully describe each Person's respective role in the Broadcast process; and*
- x. *State whether the Licensee announced that such Programming was aired in exchange for Consideration and if so, specify the manner in which that sponsorship identification occurred.*

**Gulf-California Response:** With respect to any instances of Programming depicted or referenced in Attachment C, neither the Licensee nor any Licensee employees, representatives, or agents received or were promised Consideration from any source including, but not limited to, the Persons listed in Attachment B, in exchange for the Broadcast of Programming on any Station. See Goutos Declaration, ¶ 8; Pawelski Declaration, ¶ 8; Stutz Declaration, ¶ 8; Smith Declaration, ¶ 10. Accordingly, there is no information to provide in response to Inquiries 12(a)(i) through 12(a)(x). The mentions of merchants occurred only on social media.



*Inquiry 13: For each Broadcast listed in response to Inquiries 10, 11, and 12 above, state whether any Person provided any oral or written communications and/or materials to the Licensee indicating that any Person had provided Consideration relating to the Programming. If so, provide the following information:*

- (a) The dates on which the Licensee received such communications and/or materials;*  
*and*
- (b) A written account of any such communications.*

**Gulf-California Response:** As discussed in response to Inquiries 10, 11, and 12, there are no instances of the Broadcast of Programming in which Consideration was received by or promised to the Licensee in exchange for such Broadcast. Following inquiry and investigation, the Licensee is not aware that any Person provided any oral or written communications and/or materials to the Licensee indicating that any Person had provided Consideration related to any Programming described in the Letter. *See* Goutos Declaration, ¶ 8; Pawelski Declaration, ¶ 8; Stutz Declaration, ¶ 8; Smith Declaration, ¶ 10.

*Inquiry 14: For each Broadcast listed in response to Inquiries 10, 11, and 12 above, provide the following information:*

- (a) A full description of the actions and/or procedures, if any, the Licensee took to determine whether the Programming required sponsorship identification;*
- (b) The dates on which such actions and/or procedures began and ended;*
- (c) The Persons who authorized or performed such actions and/or procedures; and*
- (d) A full description of the information obtained by means of such actions and/or procedures.*

**Gulf-California Response:** As discussed in the responses to Inquiries 10, 11, and 12, there are no instances of Broadcast Programming to report. Accordingly, there is no information to provide in response to Inquiries 14(a) through 14(d).

*Inquiry 15: If the Licensee asserts that sponsorship identifications were not required in connection for a Broadcast of Programming identified in response to Inquiries 10, 11, and 12 above, fully explain the basis for this assertion.*

**Gulf-California Response:** As discussed in the responses to Inquiries 10, 11, and 12, there are no instances of the Broadcast of Programming to report.

Ms. Goutos wore items provided by local merchants or, along with Ms. Pawelski, appeared with hair styling or makeup provided by local merchants on the air during some of their anchoring and reporting duties. *See* Goutos Declaration, ¶ 13; Pawelski Declaration, ¶ 9.<sup>5</sup> Similarly, Ms. Goutos was given one or two skirts on top of a larger purchase she made at a local store, and Ms. Goutos and Ms. Pawelski were each given a dress as a “thank you” for judging an area business’s contest. *See* Goutos Declaration, ¶¶ 14-15; Pawelski Declaration, ¶ 10. To the extent these above-mentioned items constitute Consideration provided to Ms. Goutos and/or Ms. Pawelski by local merchants, the Consideration was provided in connection with their social media activities and not in exchange for or in any way connected with the Broadcast of Programming. *See* Goutos Declaration, ¶ 13; Pawelski Declaration, ¶ 9. The anonymous complainant’s allegations that

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<sup>5</sup> A number of Ms. Goutos’s social media postings included in Attachment C of the Letter depict clothing, accessories, or services that were bought and paid for by Ms. Goutos. *See* Goutos Declaration, ¶ 20 and Exhibit A. *See also* Goutos Declaration, ¶¶ 18-19, 22 and Exhibit C explaining other social media postings included in Attachment C of the Letter that involved goods or services paid for by Ms. Goutos or never provided at all. Additionally, *see* Goutos Declaration, ¶ 21 describing a social media posting that was actually a promotion of an entertainment news story.

“expensive dresses, makeup, hair and other gratuities” were provided for free “in exchange for appearing in them on a series of news programs,” *see* Letter, Redacted Complaint, is simply wrong or, worse, an attempt to mislead the Commission about the facts. With no connection to the Broadcast of Programming, Sections 317 and 507 of the Act and Section 73.1212 of the Rules do not apply to the local merchant mentions in question.<sup>6</sup>

As stated above, Ms. Goutos and Ms. Pawelski appeared on air wearing clothing, jewelry, hair styles, and/or makeup provided by local businesses but, with two exceptions discussed below, they did not mention these local merchants during any Broadcast. However, Sections 317 and 507 and Section 73.1212 do not prohibit a station from using a product or service provided by a business in the Broadcast of Programming without a sponsorship identification. Section 317 specifically excludes from the on-air disclosure requirement “any service or property furnished without charge or at a nominal charge for use on, or in connection with, a broadcast unless it is so furnished *in consideration of an identification in a broadcast* of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the broadcast.”<sup>7</sup> Section 507 and Section 73.1212 have substantially identical exclusions from the on-air disclosure requirement.<sup>8</sup> Likewise, the Commission has for more than fifty years interpreted the relevant law to permit products provided at no cost to be utilized on the air—even in a manner in which the provider of the product or service is specifically named—without a sponsorship identification, so long as undue broadcast attention is not called to

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<sup>6</sup> To the extent any other sources of law apply to the social media postings in question, it should be noted that Ms. Goutos and Ms. Pawelski identified the sources of the clothing, accessories, or services in their social media postings. *See* Letter, Attachment C (identifying local merchants).

<sup>7</sup> 47 U.S.C. § 317(a) (emphasis added).

<sup>8</sup> *See* 47 U.S.C. § 508(f); 47 C.F.R. § 73.1212(a)(2).

the product or service.<sup>9</sup> For example, it has long been held that a refrigerator furnished for free for use as part of the backdrop in a kitchen scene for a dramatic show would not require a sponsorship identification announcement.<sup>10</sup> Similarly, an automobile manufacturer may furnish an identifiable current model car for use in a program, even when it is driven by a character in the program, without any sponsorship identification announcement requirement.<sup>11</sup> A zoo may also furnish animals for use in a children's program without any sponsorship identification announcement requirement.<sup>12</sup> Of course, these examples merely illustrate some, but not all, circumstances when a business can provide a product or service to be used in a broadcast without triggering a sponsorship identification announcement.

To the extent the clothing, accessories, and services provided to Ms. Goutos and Ms. Pawelski appeared in Broadcasts on the Station, these instances are akin to product placements specifically permitted by Commission precedent without any requirement of a sponsorship identification announcement. These instances are in keeping with the Sections 317 and 507 and Section 73.1212 particularly where the provider of the products or services was never even

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<sup>9</sup> See *Applicability of Sponsorship Identification Rules*, Public Notice, 40 FCC 141, FCC 63-409 (1963) (hereinafter, "*Sponsorship ID Public Notice*") (providing illustrative examples interpreting the sponsorship identification requirements of Section 317, particularly examples C.10-21), as modified by Public Notice, 53 FCC 2d 368, FCC 75-418 (1975). The illustrative examples were provided by Congress in its consideration of amendments to Section 317 and incorporated by the Commission into its precedent. See *Sponsorship ID Public Notice*, Note (citing House Report 1800, 86<sup>th</sup> Congress, 2d Session).

<sup>10</sup> See *Sponsorship ID Public Notice*, Note, C.15.

<sup>11</sup> See *Sponsorship ID Public Notice*, Note, C.17; see also *Noncommercial Nature of Educational Broadcast Stations*, First Report and Order and Notice of Proposed Rulemaking, 69 FCC 2d 200, FCC 78-383, n. 22 and accompanying text (1978) (stating, in the noncommercial context, that "clothing or costumes worn by performers" may be furnished without charge for use in connection with a broadcast program for their normal purposes without any sponsorship identification requirement).

<sup>12</sup> See *Sponsorship ID Public Notice*, Note, C.18.

mentioned or “plugged” on the air. Products and services were provided without any consideration for Broadcast and, other than as discussed below, no attention at all was called to the clothing or hair and makeup in question.

As mentioned above, in the interest of disclosure, two instances of the Broadcast of Programming bear further explanation.

First, during red carpet coverage of the 2016 Palm Springs Film Festival—and in the same fashion as other high-profile red carpet events such as the Oscars or the GRAMMYS—Ms. Goutos was asked on air, “who are you wearing?” In response, Ms. Goutos verbally identified on air Bohimi Couture as the provider of her dress and the El Paseo Jewelry as the provider of her jewelry. *See* Goutos Declaration, ¶ 12. She did so in the same way that scores of red carpet attendees answer that question every awards season. Indeed, celebrities mentioning “who they are wearing” has become a de facto “requirement” during red carpet events. The dress and jewelry worn by Ms. Goutos were not provided in exchange for any Broadcast mention, and neither Ms. Goutos nor the Station gave undue attention to these two merchants in the single mention over the course of the two hour broadcast. *See* Goutos Declaration, ¶¶ 8, 12. As such, the identification of these two merchants is wholly in keeping with Section 317 and 507, Section 73.1212, and Commission interpretations of the relevant law.<sup>13</sup>

The second instance involved 2015 Palm Springs Fashion Week and the designer Michael Costello. On March 12, 2015, Ms. Goutos interviewed<sup>14</sup> Mr. Costello in advance of Palm Springs

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<sup>13</sup> *See* 47 U.S.C. § 508(f); 47 C.F.R. § 73.1212(a)(2); *Sponsorship ID Public Notice*.

<sup>14</sup> The interview can be viewed at this URL: <http://www.ksq.com/news/global-designer-michael-costello-featured-at-fashion-week-el-paseo/32016430>.

fashion week, held March 21, 2015, through March 28, 2015.<sup>15</sup> This was a significant event of interest to residents of Palm Springs and the broader community. Mr. Costello is a local and national fashion celebrity. He began his career as a designer in Palm Springs, was a past contestant on Project Runway and Project Runway All Stars, and has designed gowns for Beyonce and other celebrities. *See* Goutos Declaration, ¶ 9. Indeed, the Station had been trying to get an interview with Mr. Costello for many years. *See* Goutos Declaration, ¶ 9. After the interview was recorded, but during fashion week when the interview aired, Mr. Costello loaned Ms. Goutos a gown to wear at the festivities. *See* Goutos Declaration, ¶ 11. The loan of the gown and was not provided in exchange for the Broadcast. *See* Goutos Declaration, ¶ 11. Given his position in the local and national fashion community, Mr. Costello was newsworthy in his own right. The interview was planned and shot well in advance and completely independently of the loan of the gown. *See* Goutos Declaration, ¶¶ 9, 11. Later, after the interview aired and during a live report from the fashion week red carpet while she was wearing the gown, Ms. Goutos mentioned that her gown was provided by Michael Costello—much in the same way she mentioned the provider of her dress and jewelry during the 2016 Palm Springs Film Festival. *See* Goutos Declaration, ¶ 11. Again, to the extent Ms. Goutos appeared on the air wearing the Costello gown and mentioned who provided it to her, Sections 317 and 507, Section 73.1212, and Commission interpretations of the relevant law allowed her to do so.<sup>16</sup>

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<sup>15</sup> *See* <http://www.fashionweekelpaseo.com/gallery-index.html> (last visited August 20, 2016) (see Fashion Week El Paseo 2015 for 2015 dates).

<sup>16</sup> *See* 47 U.S.C. § 508(f); 47 C.F.R. § 73.1212(a)(2); *Sponsorship ID Public Notice*.

*Inquiry 16: State whether the Licensee has policies, directives, and/or guidelines concerning Station Social Media Accounts and/or postings of its employees, representatives or agents thereto. If so:*

- (a) Provide a description of such policies, directives, and/or guidelines;*
- (b) Provide a description of the Licensee's oversight of Station Social Media Account postings;*
- (c) Identify Licensee employees, representatives, or agents responsible for the oversight described in Inquiry 16(b) above;*
- (d) For each social media posting referenced in Attachment C that depicts Programming for which the Licensee or any Licensee employee, agent or representative received or was promised Consideration in exchange for the Broadcast of such Programming, provide a full description of the actions and/or procedures, if any, that the Licensee took to determine if the social media postings related to Programming for which the Licensee or any Licensee employee, agent, or representative received or was promised Consideration in exchange for the Broadcast of such Programming;*
- (e) Fully describe the results of the actions and/or procedures listed in response to Inquiry 16(d) above.*

**Gulf-California Response:** NPG has a corporate social media policy, labeled the "Social Networking Policy," which applies to NPG and its broadcast subsidiaries, including Gulf-California. A social media policy was first created and rolled out to the broadcast subsidiaries in March 2013. The policy was later updated and revised in November 2015 in connection with a broadcast company-wide initiative called "Digital First," an initiative for on-air talent at NPG

stations to engage with their local communities using social media, extend the NPG station brands, and promote content for local newscasts.

With regard to **Inquiry 16(a)**, Gulf-California submits Exhibits GC 16-000001, the March 2013 Social Networking Policy (applicable from January 1, 2015 through November 2015), and GC 16-000002 through GC 16-000005, the current Social Networking Policy established in November 2015, which replaces and supersedes the March 2013 policy as of November 2015.<sup>17</sup> The policy is intended to set common sense guidelines for social media use by all NPG broadcast company employees, including Gulf-California employees. It applies to both personal and professional use of social media. The key points of the current policy are summarized below:

- Employees are reminded that social media content is not private, even when privacy settings are used, because users cannot control the dissemination of or access to digital content. Social media sites may share or disclose social media account content in keeping with their terms of use.
- Employees are reminded that the personal and the professional intermingle on social media. Personal posts can and do reflect not only on the individual but also on the company.
- Employees do not have any right to privacy when using the company's equipment, email, or networks. The company reserves the right to monitor equipment to ensure there are no violations of law or company policies.
- Station-branded social media pages do not authorize an employee to speak on behalf of the company, even though the public may view the employee as a representative of the

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<sup>17</sup> Gulf-California has attached the signed Social Networking Policies of Ms. Goutos and Ms. Pawelski. As indicated in the lower right-hand corner of the first page of each employee's signed policy, this is the 2015 Social Networking Policy dated November 13, 2015. This is the policy that was rolled out to all employees starting in November 2015.



company. When employees are speaking about the company without having been given specific authorization to do so, employees must identify their comments as their personal opinions.

- Employees are prohibited from using third-party materials without permission when engaging with social media—for example, copyrighted photos or protected trademarks or logos must not be used in postings without permission.

- Employees are required to follow company policies (including workplace violence and harassment policies) when using social media to communicate with, to, or about the company or its employees, clients, customers, vendors, affiliations, and others. Social media content that violates these other policies subjects the responsible employee to disciplinary action.

- Employees are responsible for their social media content. Employees should be accurate and acknowledge and correct mistakes when mistakes are made and should use common sense about what is and is not appropriate to post. Employees should avoid posting any content that might be viewed as malicious, obscene, threatening, intimidating, or disparaging to coworkers, advertisers, or the public or that might constitute harassment or bullying. Conduct on social media that adversely affects job performance or employees, advertisers, vendors, the public, or the company's legitimate business interests may result in disciplinary action, up to and including termination.

- The company prohibits any disciplinary action against an employee for reporting a possible violation of the policy or cooperating in an investigation stemming from the policy. Retaliation by any employee for such activities may result in disciplinary action, up to and including termination.

All NPG broadcast company employees are required to review and sign the Social Networking Policy when they are on-boarded and begin working for the company. In addition, existing employees at Gulf-California were required to review and sign the policy.

Additionally, Gulf-California submits Exhibits GC 16-000006 through GC 16-000009, a memo from NPG's Director of News and Marketing to NPG station News Directors, Digital Content Directors, and Promotions Managers to explain the new Social Networking Policy in connection with the rollout of the Digital First initiative beginning in November 2015. This memo explains that social media should be used by on-air talent to extend the reach of NPG station brands, discusses the migration to station-branded (rather than personal) social media accounts, identifies who will have administrative rights to pages, describes the tactical strategy for building talent pages, and provides some "do's" and "don'ts" for Facebook and Twitter.

The memo addresses three possible scenarios with existing talent social media accounts: (1) for personal accounts that are intended to remain personal, which is recommended, the Digital Content Director for each station is instructed to work with the employee to create a new station-branded account, (2) if an employee has a semi-public account they want to use as the station-branded account, they can do so by migrating (Facebook) or renaming (Twitter) the account; (3) if an employee has a large following on a semi-public account, NPG's Director of News and Marketing, Michael Fabac, will determine with station management if the employee may continue to use that account for professional purposes, but, if it is allowed, the employee is required to allow NPG shared administrative rights. The memo set a deadline of January 15, 2016, to migrate all company talent to station-managed social media accounts.

As discussed above, an initial goal of the Digital First initiative was to have on-air talent either create and use a station-branded social media account or to rename existing personal social

media accounts with a station brand. Additionally, NPG station personnel received administrative capabilities on these station-branded accounts in order to exercise some oversight. With regard to the migration of social media accounts at the Station, Gulf-California strongly encouraged its on-air talent to utilize station-branded social media accounts, particularly Facebook—but it did not insist on the migration and continued to allow both Ms. Goutos and Ms. Pawelski to use their personal Facebook accounts for professional purposes given their large followings on these accounts. *See* Smith Declaration, ¶ 6. Ms. Pawelski ultimately created a station-branded Facebook page in late June 2016. *See* Pawelski Declaration, ¶ 4. The social media postings included with Attachment C of the Letter were from the *personal* accounts of Ms. Goutos and Ms. Pawelski. However, in light of the allegations raised in the Letter Gulf-California required Ms. Goutos in late July 2016 to either create or migrate to a Station-branded Facebook page and to give Gulf-California administrative privileges on this Station-branded account. *See* Goutos Declaration, ¶ 5.

With regard to **Inquiry 16(b)**, the Licensee interprets this question as applicable to the “Station Social Media Accounts” as defined in the Letter, and, therefore, is focusing its response on the Station.

As described above, NPG broadcast companies launched a process to bring station talent pages within the oversight of station personnel in November 2015 as part of the company-wide Digital First initiative. The initiative was and continues to be spearheaded by Michael Fabac, NPG’s Director of News and Marketing. He provides corporate oversight and training related to Station social media engagement, and he oversees the Social Networking Policy.

Talent at the Station reports to the News Director and Assistant News Director, who co-manage the newsroom, oversee the day-to-day work of on-air talent, and provide direct supervision for on-air employees. The News Director and Assistant News Director are not charged with daily

monitoring their employees' social media, which would be impractical. However, as on-air talent reports to the News Director and Assistant News Director, if someone at the Station were to become aware of a problem or concern with a news employee's social media postings, the matter would be brought to the News Director or the Assistant News Director to be dealt with as appropriate. The News Director and Assistant News Director have administrative privileges on Station-branded social media accounts.

The Station's Director of Marketing and Promotion works with on-air talent to engage with social media and build the Station brand online in keeping with the Digital First initiative. This is primarily a marketing and branding role.

The Digital Content Director "follows" all talent social media and, thus, gets notifications of multiple posts of 25 or so on-air employees each day. He manages Station social media pages (e.g., <https://www.facebook.com/KESQNewsChannel3>) and oversees use of Social News Desk, a technical platform that allows reporters and on-air talent to easily publish content using social media. The Digital Content Director also has administrative privileges on Station-branded talent pages, which allows him to add or remove content.

Ultimately, the General Manager of the Station is responsible for Station operation and compliance with all company policies, including the Social Networking Policy.

With regard to **Inquiry 16(c)**, please see the table below:

Company	Name and Address	Title
NPG	Michael Fabac 399 S. 8 <sup>th</sup> Street Colorado Springs, CO 80905 719-575-6314 michael.fabac@npgco.com	Director of News and Marketing
Gulf-California	Michael Stutz KESQ-TV	General Manager

	31276 Dunham Way Thousand Palms, CA 92276 760-340-7001 michael.stutz@kesq.com	
	Robert Smith KESQ-TV 31276 Dunham Way Thousand Palms, CA 92276 760-340-7091 robert.smith@kesq.com	News Director
	Timothy Kiley KESQ-TV 31276 Dunham Way Thousand Palms, CA 92276 760-340-7090 timothy.kiley@kesq.com	Assistant News Director
	Patrick “PJ” Edgell KESQ-TV 31276 Dunham Way Thousand Palms, CA 92276 760-773-0342 (main) patrick.edgell@kesq.com	Digital Content Director
	Kent Kay KESQ-TV 31276 Dunham Way Thousand Palms, CA 92276 760-610-4828 kent.kay@kesq.com	Director of Marketing and Promotion

With regard to **Inquiry 16(d) and Inquiry 16(e)**, as discussed in response to Inquiries 10, 11, and 12, there are no social media postings in Attachment C depicting Programming for which the Licensee or any Licensee employee, agent, or representative received or was promised Consideration in exchange for the Broadcast of Programming. Accordingly, there is nothing to report in response to Inquiries 16(d) and (e).

*Inquiry 17: If the Licensee has no policies, directives, and/or guidelines concerning Station Social Media Accounts and/or postings of its employees, representatives or agents thereto, then provide the following information:*

- (a) An explanation as to why the Licensee has no such policies, directives, and/or guidelines; and*
- (b) The nature of any such policies, directives, and/or guidelines discontinued by the Licensee in the past; the date of their discontinuance; and the reason for their discontinuance.*

**Gulf-California Response:** As discussed in response to Inquiry 16, the Licensee has a policy applicable to Station Social Media Accounts and postings by its employees. Accordingly, there is nothing to report in response to Inquiry 17.

*Inquiry 18: State the nature and dates of the training and/or refresher training, if any, concerning the sponsorship identification requirements of Sections 317 and 507 of the Act and Section 73.1212 of the Rules administered to or undertaken by the following Persons:*

- (a) Bianca Rae;*
- (b) Alexandra Pierce; and*
- (c) Licensee employees, representatives, and agents Identified in response to Inquiry 16(c) above.*

**Gulf-California Response:** Gulf-California's practice has been to provide sponsorship identification and "payola" training as part of its new-hire process. Each new hire is required to review and sign a document entitled "Disclosure of Payments to Station Employees" ("payola" form). This form explains Sections 317 and 507 of the Act and Section 73.1212 of the Rules and

summarizes the requirements of the relevant statute and rule. A representative copy of this document is included as Exhibit GC 18-000001. Each of the Identified news employees would have been required to review and sign this form at the time of his or her hire.<sup>18</sup> Additionally, each employee subject to a written employment agreement is required to sign a contract that includes provisions related to prohibited payola practices. A representative copy of the written employment contract currently used by NPG is included as Exhibit GC 18-000002 through GC 18-000011 (see paragraphs 5 and 6).

With regard to **Inquiry 18(a)**, Ms. Goutos received information on the sponsorship identification requirements of Sections 317 and 507 and Section 73.1212 at the time she was hired on July 2, 2011. She also received refresher information when she signed a new employment contract with Gulf-California on June 25, 2015. Copies of her contracts are included as Exhibit GC 18a-000001 et seq. (See paragraphs 5 and 6). The Licensee is not able to locate a copy of her “payola” form.

With regard to **Inquiry 18(b)**, Ms. Pawelski received information on the sponsorship identification requirements of Sections 317 and 507 and Section 73.1212 at the time she was hired on April 6, 2015. A copy of her contract is included as Exhibit 18b-000001 et seq. (See paragraphs 5 and 6). A copy of her “payola” disclosure form is included as Exhibit GC 18b-000010.

With regard to **Inquiry 18(c)**, Mr. Fabac received information on the sponsorship identification requirements of Sections 317 and 507 and Section 73.1212 at the time he was hired

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<sup>18</sup> The Licensee has not in every case, and particularly in the case of employees hired several years ago, been able to locate signed Disclosure of Payment forms for each Identified employee the Licensee. Copies have been provided where available, as described above. The Licensee believes in good faith that each of the Identified employees would have received and signed the form.

in approximately December 2014. A copy of his “payola” disclosure form is included as Exhibit GC 18c-000089. Mr. Fabac is not subject to a written employment agreement.

Mr. Stutz received information on the sponsorship identification requirements of Sections 317 and 507 and Section 73.1212 at the time he was hired in 2006. Mr. Stutz is not subject to a written employment contract but signs, on behalf of Gulf-California, each written employment agreement. Therefore, he gets refresher information each time he signs a new employment agreement, several times each year since approximately June 15, 2011 when he became General Manager of the Station. The Licensee is not able to locate a copy of his “payola” disclosure form.

Mr. Smith received information on the sponsorship identification requirements of Sections 317 and 507 and Section 73.1212 at the time he was hired on or about April 18, 2006. He has also received refresher information each time he signed a new contract, on or about October 29, 2009, December 31, 2012, and most recently on January 2, 2015. Copies of his current contracts are included as Exhibit GC 18c-000001 through GC 18c-000029.<sup>19</sup> (See paragraphs 5 and 6). The Licensee is not able to locate a copy of his “payola” disclosure form.

Mr. Kiley received information on the sponsorship identification requirements of Sections 317 and 507 and Section 73.1212 at the time he was hired on or about March 10, 2005. He has also received refresher information each time he signed a new contract, on or about November 5, 2008, October 2, 2012, and most recently on November 18, 2014. Copies of his contracts are included as Exhibit GC 18c-000030 through GC 18c-000060. (See paragraphs 5 and 6). The Licensee is not able to locate a copy of his “payola” disclosure form.

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<sup>19</sup> A few pages from Mr. Smith’s early contracts are missing but the relevant provisions of paragraphs 5 and 6 would have been substantially identical to the later versions of his contract.



Mr. Edgell received information on the sponsorship identification requirements of Sections 317 and 507 and Section 73.1212 at the time he was hired on or about November 25, 2013. He has also received refresher information on June 24, 2014. A copy of his contract is included as Exhibit GC 18c-000061 through GC 18c-000069. (See paragraphs 5 and 6). A copy of his “payola” disclosure form is included as Exhibit GC 18c-000070.

Mr. Kay received information on the sponsorship identification requirements of Sections 317 and 507 and Section 73.1212 at the time he was hired on or about January 4, 2012. He also received refresher information on April 27, 2015, when he signed a new contract. Copies of his contracts are included as Exhibit GC 18c-000071 through GC 18c-000087. (See paragraphs 5 and 6). A copy of his “payola” disclosure form is included as Exhibit GC 18c-000088.

*Inquiry 19: For the period January 1, 2006, to the present, Identify any other instance when the Licensee received or was issued a Letter of Inquiry, Citation, Warning Letter, Notice of Apparent Liability, Forfeiture Order, or Admonishment from the Commission, or entered into a Consent Decree with the Commission.*

**Gulf-California Response:** The Licensee has received and responded to Notices of Informal Complaints during the time period specified but has not included these informal proceedings in its response below as they were not specifically requested in Inquiry 19. The Licensee will provide additional information related to these Notices of Informal Complaints if desired and requested by the Commission. Additionally, the Licensee notes that its long-time communications counsel died in January 2016 after an illness, and the undersigned firm became communications counsel to the Licensee as of approximately January 2015. To the best of the Licensee’s information and belief, these are the responsive instances:

- Gulf-California Broadcast Company, licensee of KESQ(TV), Palm Springs, California. FCC Notice of Violation, File Nos. EB-07-SD-288 and NOV No. V20073294016 dated September 25, 2007 (field inspection found quarterly issues/programs lists were not drafted in a format that provided all information required by the FCC's Rules). This document is available in Commission files and in KESQ(TV)'s online public inspection file.

- Gulf-California Broadcast Company, licensee of KDFX-CD, Indio/Palm Springs, California. FCC Notice of Violation, File Nos. EB-FIELDWR-12-00001580 and NOV No. V201232940019 dated April 12, 2012 (field inspection sought additional EAS information). This document is available in Commission files and in KDFX-CD's online public inspection file.

- NPG of Oregon, Inc., licensee of KFXO-LD, Bend, Oregon. FCC Notice of Apparent Liability for Forfeiture, NAL Acct. No.: 20141420013 dated May 14, 2015 (late-filed quarterly children's reports and failure to timely upload quarterly issues/programs reports). This document is available in Commission files and in KFXO-LD's online public inspection file.

- NPG of Oregon, Inc., licensee of KTVZ, Bend, Oregon. FCC Notice of Apparent Liability for Forfeiture, NAL Acct. No.: 201541420009 dated March 27, 2015 (late-filed quarterly children's reports and admonishment for children's commercial limits). This document is available in Commission files and in KTVZ's online public inspection file.

- NPG of Idaho, Inc., licensee of KIFI-TV, Idaho Falls, Idaho. FCC Notice of Apparent Liability for Forfeiture, NAL Acct. No. 201441420046 dated February 12, 2015 (late-filed quarterly children's reports and failure to disclose the late filings in renewal application). This document is available in Commission files and in KIFI-TV's online public inspection file.

- Pikes Peak Television, Inc., assignee of KRDO-FM, Security, Colorado. FCC Order adopting Consent Decree, NAL Acct. No.: MG-201541410033, DA 15-1417 dated December

15, 2015 (alleged transfer of control related to time brokerage agreement). This document is available in Commission files, at NPG corporate in the custody of J. Timothy Hannan, and also in the public inspection files of KRDO-FM and KRDO-TV.

- NPG of Texas, L.P., licensee of KVIA-TV, El Paso, Texas. FCC Forfeiture Order, File Nos. EB-03-IH-0122 and EB-03-IH-0353, FCC 08-55 dated February 19, 2008 (NYPD Blue indecency complaints). This document is available in Commission files and in KVIA-TV's online public inspection file.

*Inquiry 20: Identify any efforts by the Licensee to resolve or correct any noncompliance with the Act or Rules prior to this LOI. Identify any efforts by the Licensee to disclose to the Commission any noncompliance with the Act or Rules prior to this LOI.*

**Gulf-California Response:** As stated above, it is the Licensee's understanding and belief, following investigation, that it has been in compliance with the Act and the Rules with respect to the allegations made in the Letter and the underlying anonymous complaint attached to the Letter. Accordingly, the Licensee made no efforts to resolve or correct noncompliance with the Act or Rules prior to the Letter and did not make any efforts to disclose noncompliance as there was nothing to disclose to the Commission.

However, notwithstanding the Licensee's position that no violation of the Act or Rules has occurred with respect to the matters addressed in the Letter, through the course of its investigation into the facts and circumstances giving rise to the Letter, the Licensee has become aware of some potential gaps in employee understanding of the NPG Social Networking Policy and is undertaking, with counsel, a comprehensive review of the policy. It is anticipated that the Licensee will update the policy to incorporate journalistic ethics and concepts of disclosure

where appropriate and that company-wide training will occur for all relevant employees once the new policy is established.

*Inquiry 21: Identify all Station employees, representatives, or agents fired or otherwise disciplined for apparent violations of Section 317 or 507 of the Act or Section 73.1212 of the Rules and describe the apparent violations and disciplinary actions.*

**Gulf-California Response:** No Station employees, representatives, or agents have been fired or otherwise disciplined for apparent violations of Section 317 or 507 of the Act or Section 73.1212 of the Rules.

*Inquiry 22: Provide a description by category of all Documents and tangible things that the Licensee has in its possession, custody, or control that are responsive to the questions herein.*

**Gulf-California Response:**

- Copies of corporate records of the Licensee, including, but not limited to, officers and directors lists, certificates of good standing, articles of incorporation or organization, tax identification numbers, and registered agent information.
- Records regarding FCC Registration Numbers for the Licensee.
- Copies of licenses, permits, and authorizations issued by the Commission related to each station licensed to the Licensee, including those issued by the Media Bureau, Wireless Telecommunications Bureau, and International Bureau.
- Employment records and (where applicable) written employment agreements and “payola” forms for Licensee personnel, including Bianca Rae Goutos, Alexandra Pierce, Michael Stutz, Robert Smith, Timothy Kiley, Patrick Edgell, and Kent Kay.

- Copies of the March 2013 and 2015 Social Media Policies and the Memo issued by the Director of News and Marketing in connection with the 2015 Social Media Policy. In some cases NPG corporate has signed copies of the 2013 and 2015 Social Media Policies, and in other cases signed copies are maintained by human resources staff at the local station.

- Copies of the Notices listed in response to Inquiry 19.
- Copies of federal tax returns and financial statements.

*Inquiry 23: For each Broadcast of Programming listed in the responses to Inquiries 10, 11, and 12 above, provide the following:*

- (a) Two recordings of the Programming in DVD format and if the Programming was edited before Broadcast, two recordings of the unedited Programming in DVD format;*
- (b) A written transcript of the Programming;*
- (c) Any Documents that related to such Programming, including e-mails, written agreements, marketing materials, or invoices;*
- (d) A recording of any sponsorship identification in DVD format;*
- (e) Copies of all written agreements and written accounts of all oral agreements that the Licensee and/or its employees, representatives, or agents entered into with any Person regarding the Broadcast of the Programming; and*
- (f) All Documents that relate to any such oral or written agreements Identified in response to Inquiries 10, 11, and 12 above.*

**Gulf-California Response:**

As discussed in response to Inquiries 10, 11, and 12, there are no instances of the Broadcast of Programming in which Consideration was received or promised in exchange for such Broadcast. Accordingly, there are no responsive materials to provide related to Inquiry 23(a) through (f).

*Inquiry 24: Provide all Documents that relate to any payment or promise to pay Consideration identified in response to Inquiries 10, 11, and 12 above.*

**Gulf-California Response:** As discussed in response to Inquiries 10, 11, and 12, there are no instances of the Broadcast of Programming in which Consideration was received or promised in exchange for such Broadcast. Furthermore, the Licensee is aware of no responsive documents for Inquiry 24.

*Inquiry 25: For each Broadcast listed in responses to Inquiries 10, 11, and 12 above, provide all Documents related to the actions, if any, that the Licensee took to determine if Bianca Rae and/or Alexandra Pierce, referenced above in the introductory paragraphs of this letter, or any other Licensee employee, agent or representative had received or been promised Consideration by any Person in exchange for promoting or discussing that Person's products, merchandise, and/or services during Broadcast of any Programming.*

**Gulf-California Response:** As discussed in response to Inquiries 10, 11, and 12, there are no instances of the Broadcast of Programming in which Consideration was received or promised in exchange for such Broadcast. Furthermore, the Licensee has no responsive documents for Inquiry 25.

*Inquiry 26: Provide all documents related to the social media postings listed in response to Inquiry 16(d) above.*

**Gulf-California Response:** As discussed in response to Inquiry 16(d), there are no social media postings in Attachment C depicting Programming for which the Licensee or any Licensee employee, agent, or representative received or was promised Consideration in exchange for the Broadcast of Programming. Accordingly, there are no responsive documents to provide in response to Inquiry 26.

*Inquiry 27: Provide a copy of all written policies and directives of the Licensee relating to the Licensee's compliance with Section 317 and 507 of the Act and Section 73.1212 of the Rules.*

**Gulf-California Response:** Please see all Exhibits submitted in response to Inquiry 18, Exhibits GC 18-000001 through GC 18-000011.

*Inquiry 28: Provide a copy of all written policies and directives of the Licensee relating to Social Media Accounts.*

**Gulf-California Response:** Please see Exhibits GC 16-000001 through GC 16-000009. The Licensee maintains signed copies of the Social Networking Policy for its employees but has not submitted all signed copies.

*Inquiry 29: Provide a copy of each affidavit, acknowledgement, or other certification concerning awareness of or compliance with the statutory and regulatory provisions governing*

*payola and sponsorship identification contained in 47 U.S.C. §§ 317 and 508 and in 47 C.F.R. § 73.1212 executed by the following:*

- (a) Bianca Rae;*
- (b) Alexandra Pierce;*
- (c) All Licensee employees, representatives, or agents who supervised Bianca Rae and/or Alexandra Pierce; and*
- (d) Any Programming Personnel who were materially involved in or participated in each Broadcast identified in response to Inquiries 10, 11, and 12 above.*

**Gulf-California Response:** With respect to Inquiries 29(a) through 29(c), please refer to Exhibits GC 18a-000001 et seq., GC 18b-000001 et seq., and 18c-000001 et seq. As discussed in response to Inquiries 10, 11, and 12, there are no instances of the Broadcast of Programming in which Consideration was received or promised in exchange for such Broadcast. Therefore, Inquiry 29(d) is not applicable.

*Inquiry 30: Provide a copy of all contractual agreements between the Licensee and the following Persons related to the employment of each:*

- (a) Bianca Rae;*
- (b) Alexandra Pierce; and*
- (c) All Licensee employees, representatives, or agents who supervised Bianca Rae and/or Alexandra Pierce.*

**Gulf-California Response:** These materials have been provided in response to Inquiry 18. Please refer to Exhibits GC 18a-000001 et seq., GC 18b-000001 et seq., and 18c-000001 et seq.



*Inquiry 31: Provide a copy of the Licensee's certificate of incorporation and a current certificate of good standing in the state in which the Licensee is incorporated.*

**Gulf-California Response:** Please see attached Exhibits GC 31-000001 through GC 31-000091.

*Inquiry 32: Provide: (1) federal tax returns for the most recent three years; (2) financial statements prepared according to generally accepted accounting principles; or (3) some other reliable and objective documentation that accurately reflects the Licensee's current financial status.*

**Gulf-California Response:** The Licensee respectfully objects to Inquiry 32 at this point in the proceeding.

*Inquiry 33: Provide copies of all Documents that serve as the basis for or otherwise support the responses to all the Inquiries above, to the extent not already provided.*

**Gulf-California Response:** All responsive Documents available have already been provided in response to the Inquiries above. Copies of Commission authorizations (Inquiry 6) and Notices from the Commission (Inquiry 19) have not been submitted as these are available through Commission databases or files and were not specifically requested. Gulf-California will provide copies upon the request of Commission staff.

\* \* \* \* \*

Respectfully submitted,

GULF-CALIFORNIA BROADCAST COMPANY



---

Elizabeth Spainhour  
BROOKS, PIERCE, McLENDON,  
HUMPHREY & LEONARD, L.L.P.  
Wells Fargo Capitol Center, Suite 1700  
150 Fayetteville Street (27601)  
Post Office Box 1800  
Raleigh, North Carolina 27602  
Telephone: (919) 839-0300  
Facsimile: (919) 839-0304

Its Attorneys

August 24, 2016

## **DECLARATION AND CERTIFICATION OF LICENSEE**

I, J. Timothy Hannan, hereby declare, under penalty of perjury, as follows:

1. I am greater than eighteen years of age and am competent to make this Declaration and Certification. I am Vice President, Secretary, and Treasurer of Gulf-California Broadcast Company, licensee of KESQ-TV, Palm Springs, CA, KCWQ-LD, Palm Springs, KCWQ-LP, Palm Springs, KDFX-CD Indio/Palm Springs, K27DS, Yucca Valley, CA, K31MF-D, Yucca Valley, CA, K42LC-D, Yucca Valley, CA, KPSP-CD, Cathedral City, CA, KUNA-LP, Indio, CA, KUNA-LD, Palm Springs, CA, and KYAV-LD, Palm Springs, CA. I have held this position at all relevant times.


2. My signature below indicates, under penalty of perjury, that: I have reviewed the Letter of Inquiry dated July 25, 2016 from Matthew L. Conaty and its attachments (the "Letter") and am familiar with its contents; I have reviewed the foregoing correspondence from Elizabeth Spainhour in response to the Letter, and, to the best of my knowledge, information, and belief, I hereby verify the truth and accuracy of the information contained therein; all of the information requested by the Letter that is in the Licensee's possession, custody, control, or knowledge has been produced, other than information requested by Inquiry 32, to which the Licensee has objected at this stage of the proceeding; and any and all documents provided in this response are true and accurate copies of the original documents. To the extent that I do not have personal knowledge of any relevant facts, I am relying on the statements made in the Declarations of Bianca Rae Goutos, Alexandra Pawelski, Michael Stutz, and Robert Smith, which I have reviewed and with which I am familiar.

**[signature appears on following page]**

The undersigned, under penalty of perjury, declares the foregoing to be true, complete, and correct to the best of his personal knowledge.

This, the 23<sup>rd</sup> day of August, 2016.

By:



J. Timothy Hannan  
Vice President, Secretary, and Treasurer  
Gulf-California Broadcast Company

## **Declaration of Bianca Rae Goutos**

I, Bianca Rae Goutos, hereby declare, under penalty of perjury, as follows:

1. I am greater than eighteen years of age and am competent to make this Declaration.

2. I have read the letter with attachments dated July 25, 2016, to Mr. J. Timothy Hannan from Mr. Matthew L. Conaty (the "Letter") and am familiar with its contents. I have reviewed each of the social media postings from my accounts included with the Letter.

3. I am an Anchor/Entertainment Reporter at KESQ-TV, Palm Springs, CA (the "Station") and an employee of Gulf-California Broadcasting Company ("Gulf-California"). I was hired as a general assignment Reporter on or about July 18, 2011. This was my first job after graduation from college. On or about May 5, 2014, I was promoted to Anchor/Entertainment Reporter. For the first year after this promotion, I anchored weekend newscasts. In June 2015 my anchoring duties changed and expanded. I no longer regularly anchor weekend newscasts but instead anchor weekday morning newscasts on the Station. As of June 2015, I still perform occasional entertainment reporting duties.

4. I maintain personal Facebook, Twitter, and Instagram accounts. The primary focus of my professional social media activity is Facebook, although I also post professional content to Twitter. I have an Instagram account, but I use this primarily for personal purposes. On or about July 27, 2016, I created a Station-branded Facebook account (Facebook.com/Bianca Rae KESQ) for work-related purposes. I declined to create a Station-branded Facebook page earlier because, with a new page, I would be posting to a page with no followers or very few followers, and, if I changed the name of my existing page to a Station-branded name, I would only be able to change the name a limited number of times later. Additionally, with a Station-branded page, Station management would have administrative rights to my account.

5. I received a copy of and reviewed the Social Networking Policy of Gulf-California's corporate parent, News-Press & Gazette Company. I discussed the Social Networking Policy with my supervisor, Robert Smith. On or about June 27, 2016, I signed the Social Networking Policy.

6. I am and at all relevant times have been aware that acceptance of gratuities or things of value in exchange for the broadcast of any material without an identification of the sponsor of the broadcast are prohibited by the law and company policy.

7. I received, reviewed, and signed a contract with Gulf-California when I was hired as a Reporter on or about June 18, 2011. I also received, reviewed, and signed a contract with Gulf-California when I was promoted to Anchor/Reporter on or about

May 5, 2014. Each contract addresses and requires me to adhere to Sections 317 and 507 of the Communications Act.

8. I have not received, been promised, or requested anything at all of value from any source, including but not limited to the businesses and individuals or anyone affiliated with the businesses or individuals described in the Letter, in exchange for any broadcast material.

9. In roughly February 2015, I researched and prepared an entertainment news report on the designer Michael Costello, who got his start in Palm Springs, CA. I interviewed Mr. Costello in connection with 2015 Palm Springs Fashion Week, in which he was a featured designer. Fashion Week is an annual event of interest to members of the Palm Springs community and beyond. Mr. Costello is a “big name” in the fashion industry and has previously created designs for Beyonce and Lady Gaga. The Station had been trying for years to get an interview with Mr. Costello. I started planning the story in January 2015, and on March 12, 2015, we shot the interview. The interview aired on or about March 25, 2015.

10. With two exceptions described in paragraphs 11 and 12 below, I have never mentioned or called any attention to my wardrobe, accessories, hair, or makeup on the air on KESQ-TV or any other station.

11. Mr. Costello loaned me a gown that I wore to 2015 Palm Springs Fashion Week during the last week of March 2015. The loan of the gown was completely unconnected to the story on Mr. Costello or any other broadcast material. As discussed above, the idea of the interview and Mr. Costello agreeing to participate in the interview happened long before the loan of the gown. I briefly mentioned the Costello gown on the air during KESQ-TV red carpet coverage of Palm Springs Fashion Week during the last week of March 2015. I made this one mention in the few-minutes long live broadcast. I returned the gown to the Costello shop after fashion week.

12. During the Station’s January 2, 2016, Palm Springs Film Festival red carpet coverage, I was asked, “who are you wearing?” I stated that my dress was provided by Bohimi Couture and my jewelry was provided by El Paseo Jewelry. I made only this one mention in the two hour broadcast. I returned the dress and jewelry to Bohimi Couture and El Paseo Jewelry, respectively, after the film festival.

13. Since January 1, 2015, I have periodically received loans of clothing and accessories or free or reduced-cost makeup and hair services from the following local merchants described in the Letter: Bohimi Couture, Diane von Furstenburg outlet, Effortless Chic Boutique, El Paseo Jewelers, Grayse, Jose Eber Salon at the Ritz Carlton Rancho Mirage, Le Chateau Boutique, Michael Costello Designs (gown mentioned above), My Little Bridal Boutique, Patrick Marchesson Salon, The Jewelrey Bar, and Vanessa Puccini. I appeared in products or with my hair style or makeup provided by these merchants on the air. Other than during the 2016 Palm Springs Film Festival red carpet (described above) and the Michael Costello story and 2015 Palm Springs Fashion

Week red carpet (described above), I never mentioned these local merchants on the air. I appeared in products or with my hair style or makeup provided by these merchants in pictures I posted to my personal social media accounts and also mentioned the local merchants by name in these social media posts. None of these merchants ever asked me to mention them on the air.

14. Approximately a year ago, Effortless Chic Boutique gave me one or two skirts in addition to several other items that I bought and paid for from the shop. I never mentioned or called attention to Effortless Chic Boutique on the Station. Effortless Chic Boutique never asked me to mention the business on the air.

15. In approximately November 2015, I received a dress from My Little Bridal Boutique as a “thank you” for serving as one of the judges for a wedding giveaway contest sponsored by a local radio station that is not owned or in any way affiliated with the Station, Gulf-California, or News-Press & Gazette Company. I did not appear on the air in this dress and never mentioned or called attention to My Little Bridal Boutique on the Station. My Little Bridal Boutique never asked me to mention the business on the air.

16. Pernilla Linner is a personal friend of mine who gave me as a personal gift a ring from her shop, Pernilla Linner Silversmith. I never mentioned her or her shop on the air. I appeared in the ring in pictures I posted to my personal social media accounts and also mentioned her and/or her shop by name in these social media posts. She never asked me to mention her, her shop, or the ring on the air.

17. I have never received any loans, gifts, or other gratuities or anything of value from Presage.

18. I have never received any loans, gifts, or other gratuities or anything of value from Best City Nails, Marina BerBeryan, or Lynee LaVoie without paying for what was provided.

19. Celi That Girl is an employee of Diane von Furstenburg outlet. I never received any loans, gifts, or other gratuities or anything of value from her other than the clothing and accessories from Diane von Furstenburg outlet describe above.

20. The social media posts from the Letter attached to this Declaration as Exhibit A are my own clothes and accessories.

21. The social media post from the Letter attached to this Declaration as Exhibit B is a posting that was a “tease” or promotion of a news story I did as an Entertainment Reporter in a regular feature called “Eye on the Desert.” These “Eye on the Desert” reports featured local businesses and restaurants and new or interesting products or services they offered. Nothing of value was provided to me or the Station for these stories. The stories were simply news and entertainment coverage. The image shown is of a hot stone massage I received on air as part of the story on a unique spa treatment. Demonstration of the massage was part of the story. The story was not

something that the massage provider paid any money or other consideration for, and the massage was not provided in exchange for a broadcast mention.

22. I paid Marina BerBeryan to style me in the dresses shown or to provide the services shown in the social media posts from the Letter attached to this Declaration as Exhibit C.

**[signature appears on the following page]**



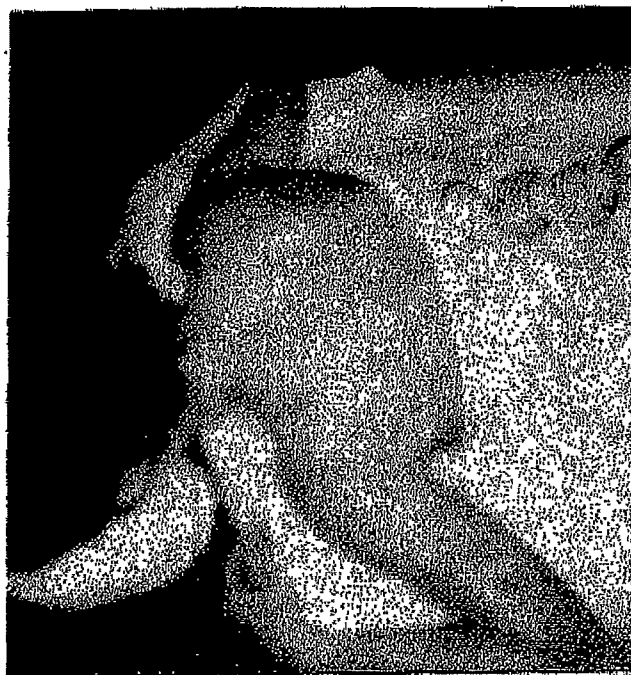
I declare, under penalty of perjury, that the foregoing Declaration is true and accurate to the best of my knowledge, information, and belief.

8/22/16  
Date

Bianca Rae Goutos  
Bianca Rae Goutos

## **Exhibit A**

## **Exhibit B**



blanca...rae

Follow

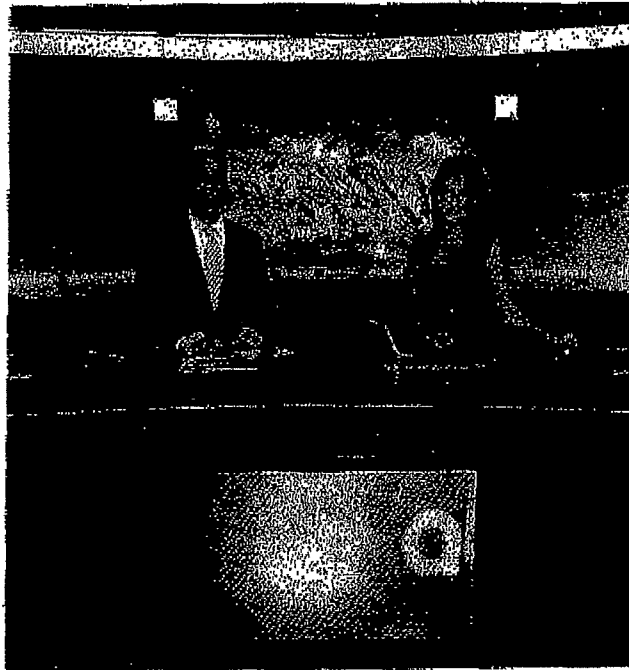
32 likes

43w

blanca...rae Think hot stone massage but better, because these 120 degree lava shells stay hotter longer than stone. Find out where you can get this unique spa treatment Wednesday night on Eye On the Desert! #eyeonthedesert  
williamstaez598 Why the tall?...

Log in to like or comment

546



blanca\_\_rae  
KESQ Gulf California ... [Follow](#)

11 likes

17w

blanca\_\_rae KESQ News Channel 3 in  
the morning...see you back here at noon!  
#morninganchor #MorningShow17a  
#NewsAnchor  
Dress: @stetehart

tyria\_s like Thank u Calista Klein =  
morning anchor gal's bf @  
swimluent @tyria\_s @blanca\_\_rae  
@ckslars

whispercchi Amazing Blanca! @  
Congratulations again!!

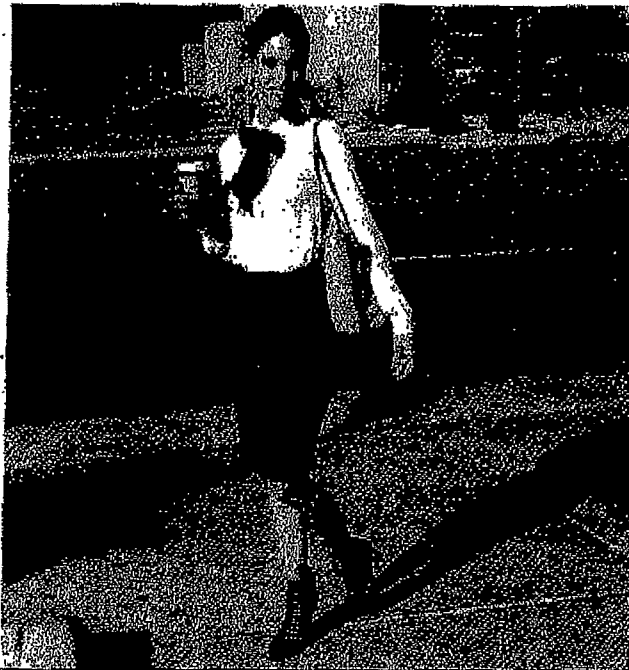
msmikeylow Congratulations beautiful  
girl. Wishing you all the success in the  
world. @

me\_alle\_ but Lol Jeff chasing so hard!  
You guys look wonderful @

desertweather @blanca\_\_rae you are a  
natural #KeepDoingWhatYoure  
#DesertMiddleMe

Log in to like or comment.

see



Blanca...rae

Follow

114 likes

287

Blanca...rae Morning trickol, foundation  
president, Jack's mom...as many kids all  
before 10:00 am! ~~10:00~~ Wouldn't have it  
any other way. See you on News  
Channel 9 at Noon.



Blaise: #hm  
Shirt: Sincg Power Shirt  
Shoes: Aldo



trappedinfashion Love your look!

Blaise...rae #trappedinfashion Thank  
you!!

the...ella...ent their power, girl life  
thooooo

...gator... Beautiful


elaine Casser Blanca!  

francesca I love your shoes  

xthatgirlx Hi remember me I am Paige  
I was with them at the Globes walk

Log in to like or comment.



 bianca\_sae

[Follow](#)

128 likes

27w

bianca\_sae Topington CBS Local 2  
Navya Shift Associate Store  
Skirt: @cubag  
Shoes: @victoria  
#freespirit #freespirit #freespirit

joy:2410 Beautiful

pinkieeyes270 Gorgeous

sebastianp270 Gorgeous

@mike\_sae

michael2 Glassy

Log in to like or comment.

484



Black...  
Daily Therapy

Follow

80 likes

Sw

Black... the Anti-Ball begins up the  
@antiball... Just talked to  
@antiball... Season 5 contestant.  
This serious moment about his last  
months captured fight before being  
told to return to Palm Springs  
and our December 28th will birthday.  
@Great family guy, hear from him on  
News Channel 3 live at 5.

Thanks @antiball... and  
@antiball...  
@antiball... stores  
consequently @antiball...  
@SoJelly @

daily... the those shows  
@antiball...

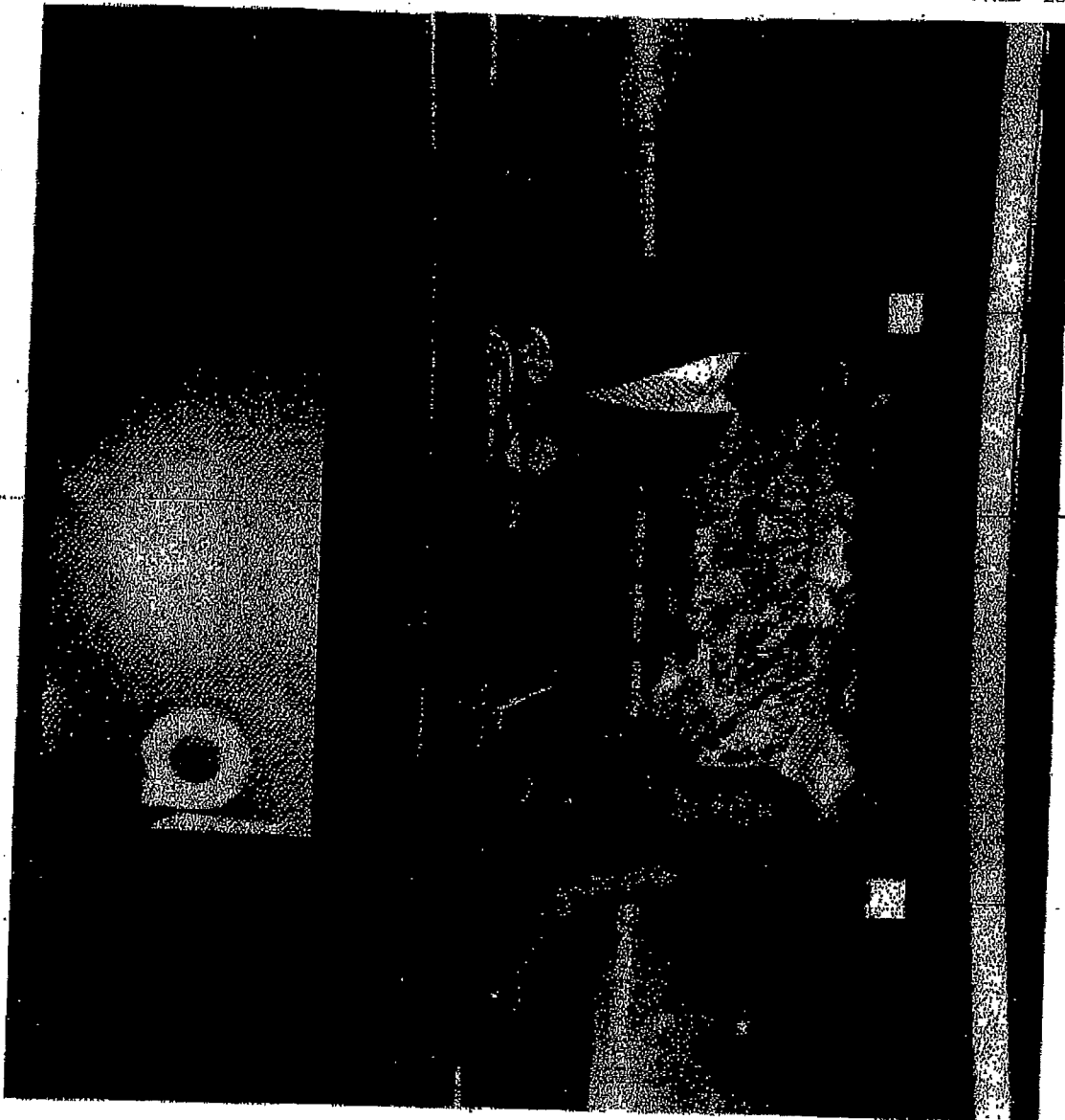
@antiball... I love your style and so does  
my daughter!

@antiball... Those heels are on point miss  
@antiball...

Log in to like or comment.

www





Bianca\_\_rae  
KESQ Gulf California...

FOLLOW

110 likes

3m

bianca\_\_rae KESQ News Channel 5 in the morning...see you back here at noon! #fromtheground #MorningShowLife #NewsAnchor  
Dress: @elizabeth

cyrele\_s Elle Tahari + Calvin Klein = morning anchor gals bffs! #swhitfluents @cyrele\_s @bianca\_\_rae rockstars

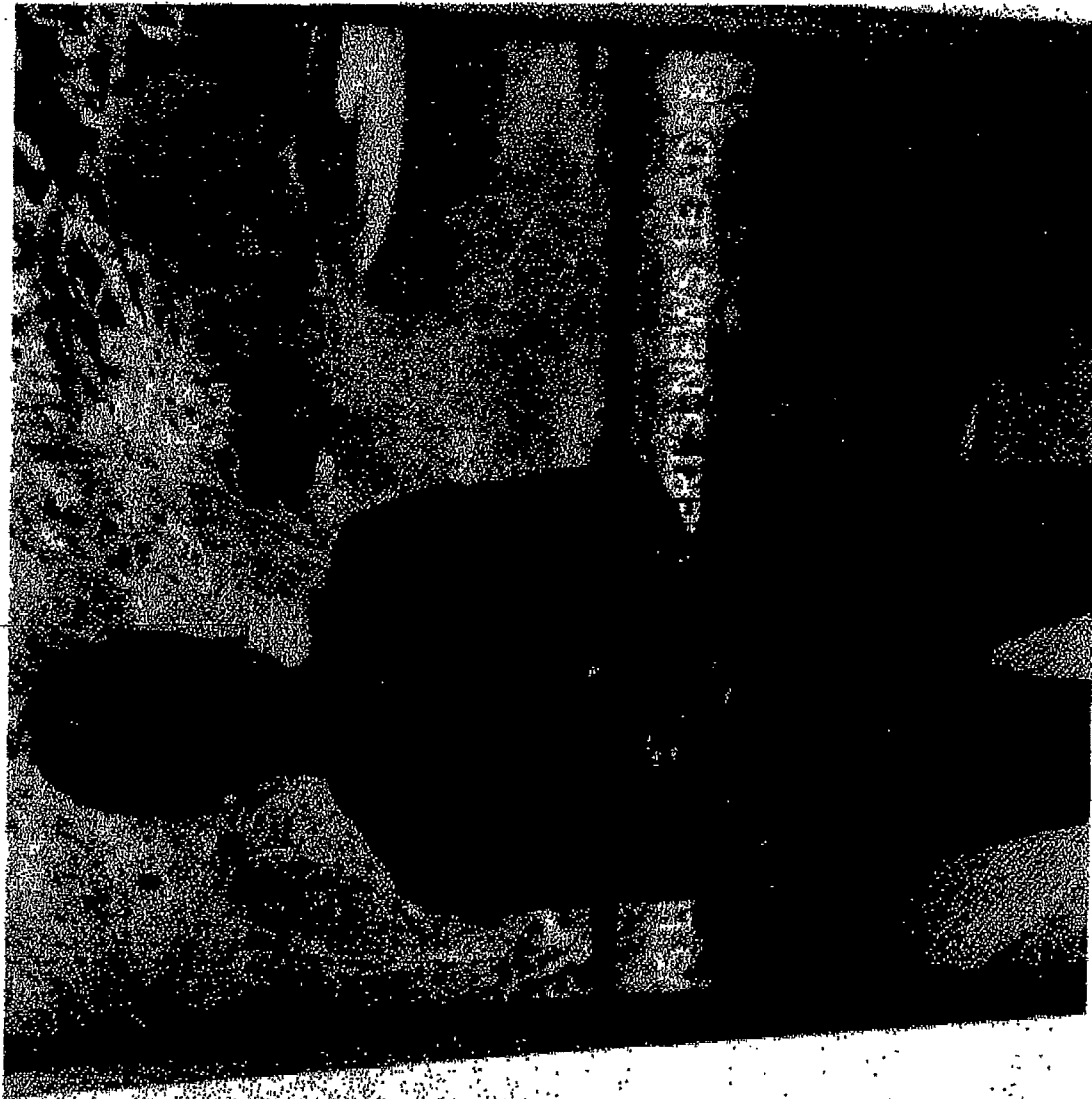
vinapueda! Amazing Bianca 🌟🌟🌟  
🌟🌟🌟 Congratulations again!!

mrsmikeylow Congratulations beautiful girl. Wishing you all the success in the world. 🌟🌟🌟

the\_alle\_cat Lol Jeff chasin so hard! You guys look wonderful! 🌟🌟🌟🌟🌟  
desertwebber @bianca\_\_rae you are a natural! #keepDoinwhatYoudo #Desertmicleman

♡ Add a comment...

900



bianca\_\_rae  
KESQ Gulf Californi...

FOLLOW

56 likes

27w

bianca\_\_rae This Thursday...a big day! Not only is it the @justblowdrys happy hour fundraiser for the 2nd Annual Rae of Hope Retreat from 4:30-7, but that is also the day registration officially OPENS for the retreat! You can sign up starting Thursday morning... Just go to KESQ.com for a link! Full video on FB: Bianca Rae #biancaeraefoundation #raeofhope #brightboldbeautiful @tracylovesbeauty Blouse: @bebe\_stores #bebe



Add a comment...

...



bianca\_\_rae  
JW Marriott Desert ...

FOLLOW

93 likes

bianca\_\_rae Patrick Warburton Celebrity  
Golf Tournament Jam Session Dress.  
@bebe\_stores Shoes: @jesstcasimpson  
#ford

espeaillo702 Gorgeous! 🌟🌟🌟

spabrat Love this look! 🌟

rodzillaroddy 🌟🌟🌟

\_maredithkay @bianca\_\_rae gorgeous!

eurekaindianwells Cool

discover\_eureka Nice!

jaiswalsharst Gorgeous 🌟

angelrollers @bianca\_\_rae beautiful.

idolovesunflowerinfluenza Elegant! 🌟🌟



Add a...

0:00



bianca\_\_rae  
Miss Senior Center

FOLLOW

95 likes

24w

bianca\_\_rae Will be bowling this morning with an incredibly fun group of seniors at the 7th Annual Will Bowling Tournament. Ence fun. Andddd thatsssss a.....spare!!!  
Dress: @topshop

ocean2015 It looks like the lady is sleeping hahaha

artstone You can totally start a local style show and everyone will watch lol I see the comments all the time asking about your outfits 🤔🤔🤔

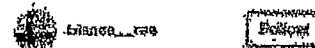
ljonyx22 @bianca\_\_rae My Mom was so excited that she met you! Thanks for doing all that you do. Big hugs.

Oatigrunt Hahahah

bianca\_\_rae @ljonyx22 she was a doll!!! So nice to meet her too! Miss in

bianca\_\_rae @ljonyx22 "Miss you!  
davidgenzelstv"

Add a comment



St Nick

654

blanca\_179 for St Nick's Fashion Competition, Celebrity Style and dress! Thank you! I'm so happy to see you all down one more time after Hollywood's biggest night to the best and worst dressed at the event. See our photos like on Eye On the Desert at 645 CR2 Local 2.

blanca\_179 for St Nick's Fashion Competition, Celebrity Style and dress! Thank you! I'm so happy to see you all down one more time after Hollywood's biggest night to the best and worst dressed at the event. See our photos like on Eye On the Desert at 645 CR2 Local 2.

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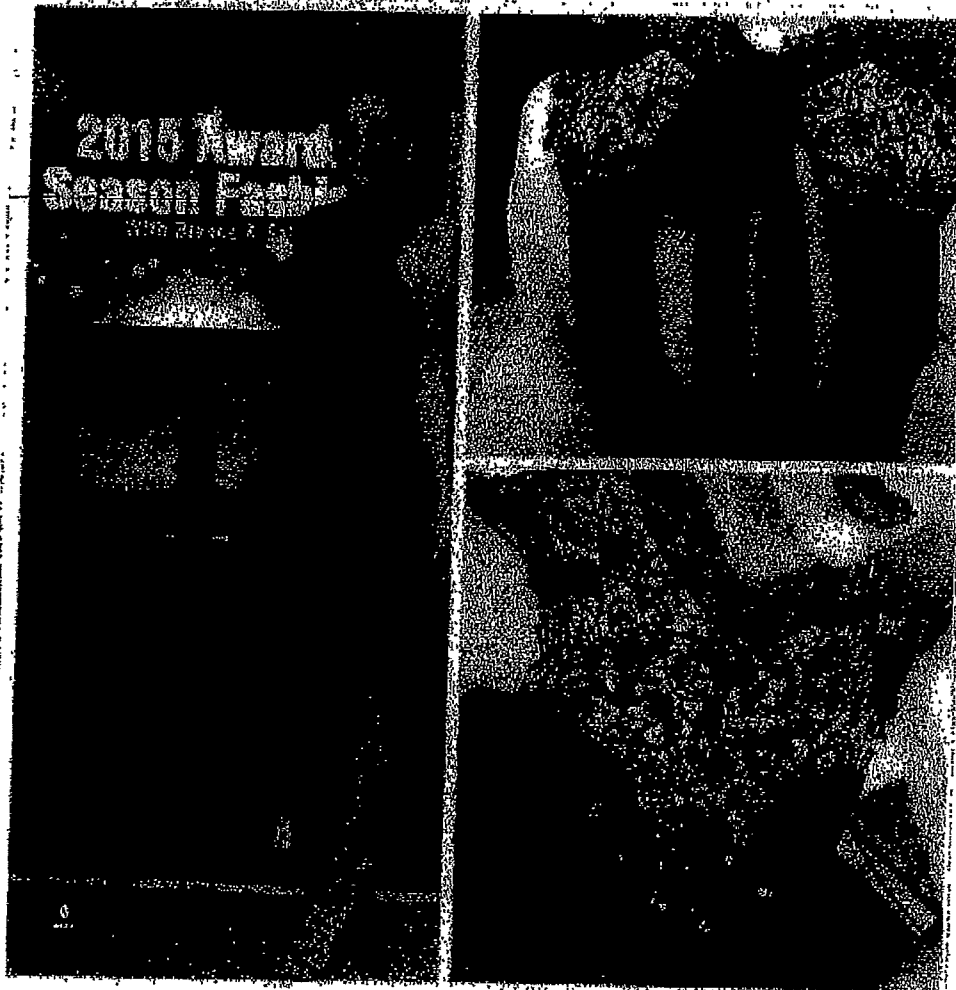
Log in to like or comment.

0/0



bianca\_rae  
CBS Local 2 Studio

38w



♥ 106 likes

bianca\_rae Post #oscars #LOTD only thing I may like better than my pick for Best Dressed last night...is this shirt!! 🌟 Shirt: @bebe\_stores



Wanna see  
K&S Gulf California ...

91 likes

12w

blanca... We're at it again! Talking best  
and worst dressed at the #Oscars2016 with  
Gaelle's fashion contributor  
@stylistadvisor... only on News Channel 3  
and Local Love you, San!

Directed by: @lucia\_soraa El Paso  
...marched! Yay! You look fabulous-gorgeous  
@lucia\_soraa

@stylistadvisor @blanca... so much fun  
Thanks for having me!!

hahaha We're @stylistadvisor  
and the And best dressed goes  
to... Blanca!!  
manfolk love your black and white  
dress!

Log in to like or comment.

22w



bianca\_ran



100 likes

25w

bianca\_ran Post #pamc #LOD only  
thing I may like better than my shot for  
Best Dressed last night...is this shirt!  
Shirt: @hebe\_stones @hebeapa @hebe  
@sparkle @hebeapa @hebe

the\_olli: you Love that look Bill  
@hebeapa @hebe

artistic Beauty: @hebe

the\_olli: Love your dress!

the\_olli: and me you look fabulous!

the\_olli: Love this look!

the\_olli: @hebe

the\_olli: Wow babe you look  
absolutely stunning!

bianca\_ran @the\_olli: Thank  
you!!

the\_olli: Amazing!

the\_olli: @hebeapa @hebe I love this  
look! @hebeapa @hebe

Tap to like or comment.

...





bianca\_rae

59w



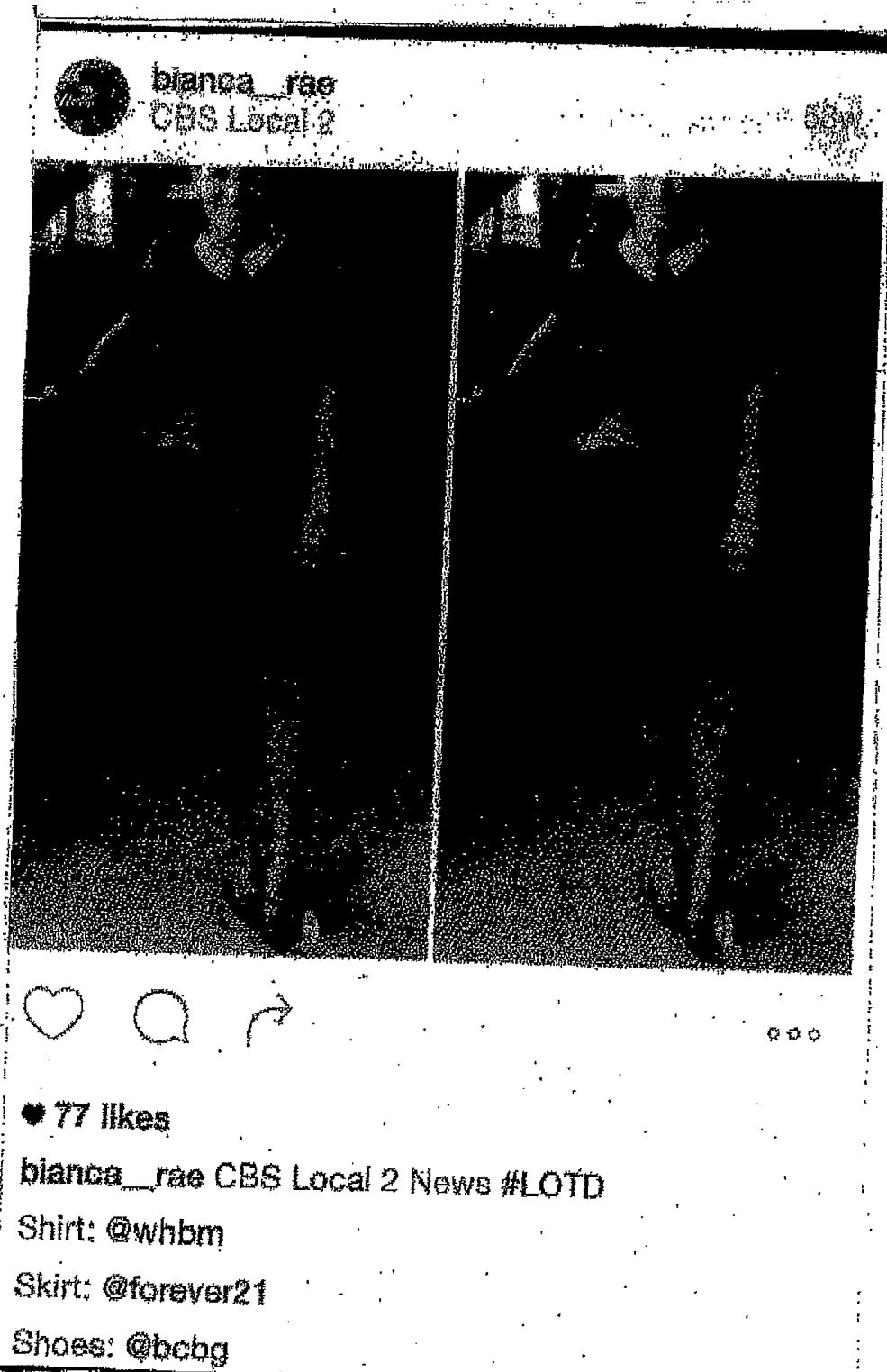
...

♥ 95 likes

bianca\_rae #LOTD for the #collinashlenwedding

Dress: @xobetseyjohnson

Shoes: @louboutinworld





bianca\_rae

Palm Springs Convention Center

40w



...

♥ 110 likes

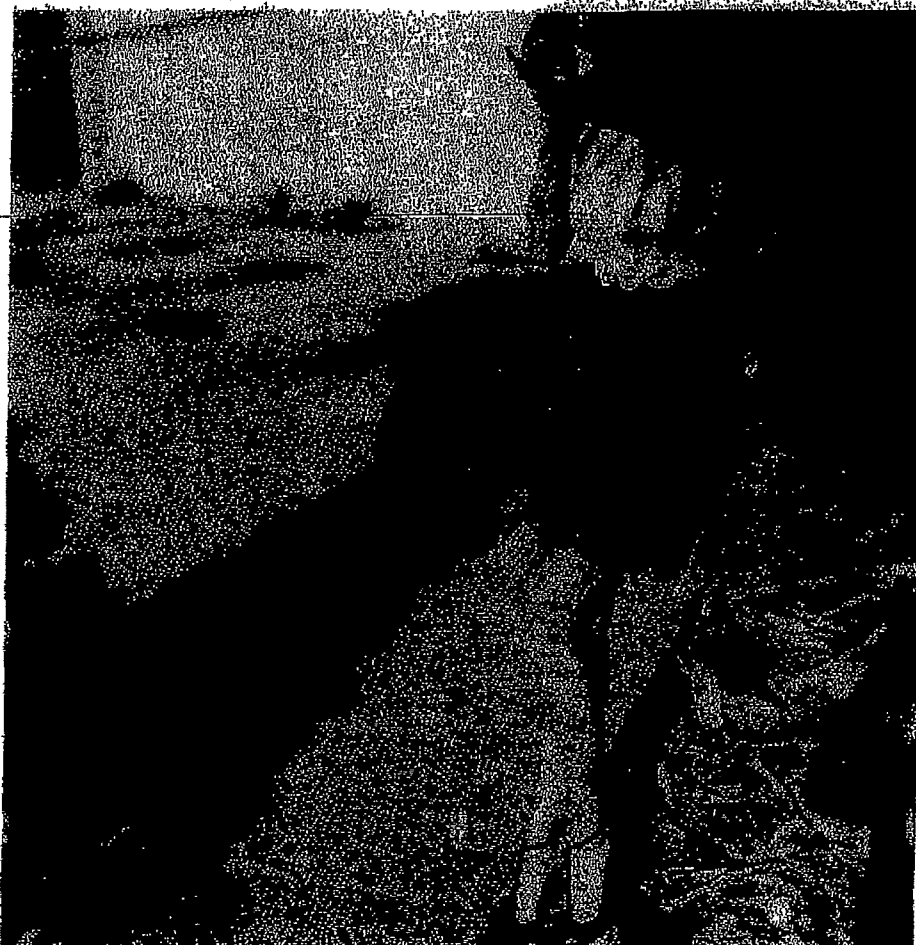
bianca\_rae Steve Chase hair: @elisemmitti makeup:  
@lyneelavoie thanks to these two for making me feel  
so fab!



bianca\_\_rae

KESQ Gulf California Broadcast

4w



000

♥ 95 likes

bianca\_\_rae I love a dress that has it all. Feeling everything a woman should feel in this @xobetseyjohnson dress. Back on the air News Channel 3 at Noon, see you then! #LOTD



bianca\_rae  
KESQ Gulf California Broadcast

15w



...

♥ 78 likes

bianca\_rae Wild weather....I'll leave that to  
@daniellegersh but the lighting sure is swell for  
today's #LOTD 🌟 Dress: Felicity & Coco from:  
@nordstrom Rack

Shoes: @bcbg Hair: @justblowdrys



bianca\_rae

Palm Springs Convention Center

97w



...


79 likes

bianca\_rae 1.4.14 #redcarpet #LOTD

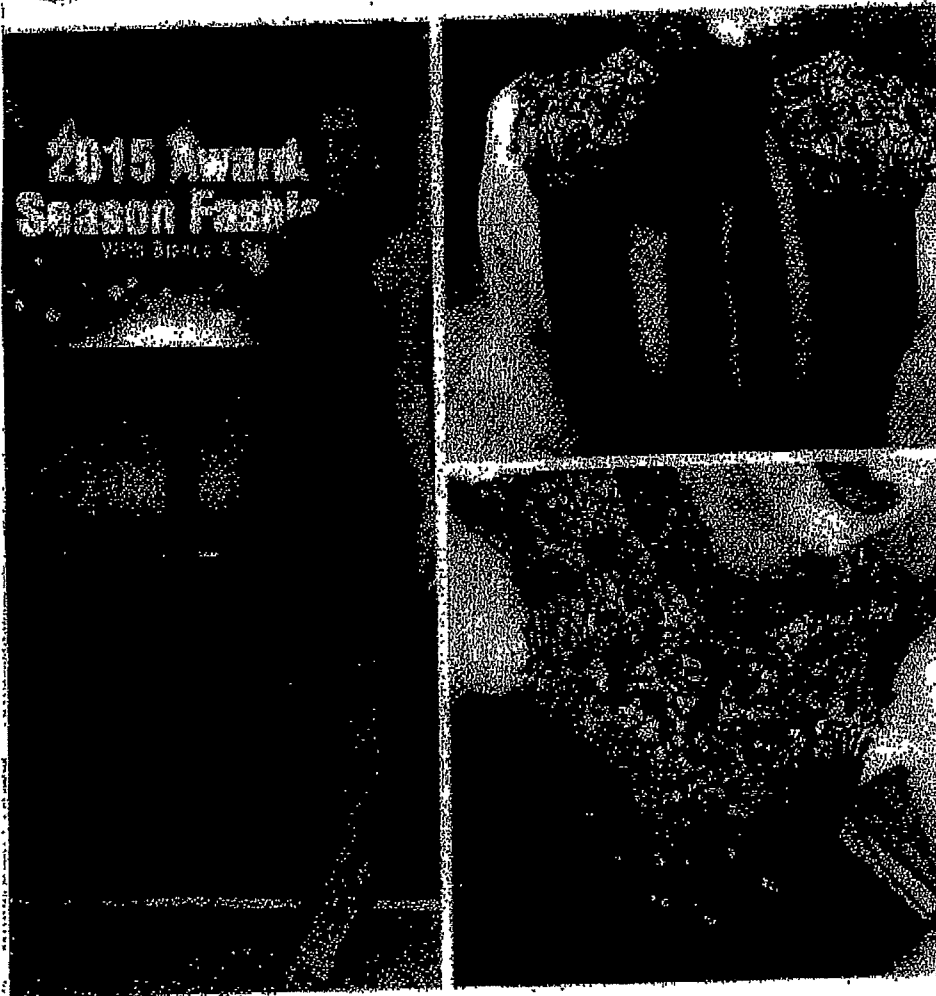
Today is an absolute dream!

Dress: #runwayarch by #sherrihill

Styled by Marina BerBeryan #styledbymarina  
#marinaberbervan

 bianca\_rae  
CBS Local 2 Studio

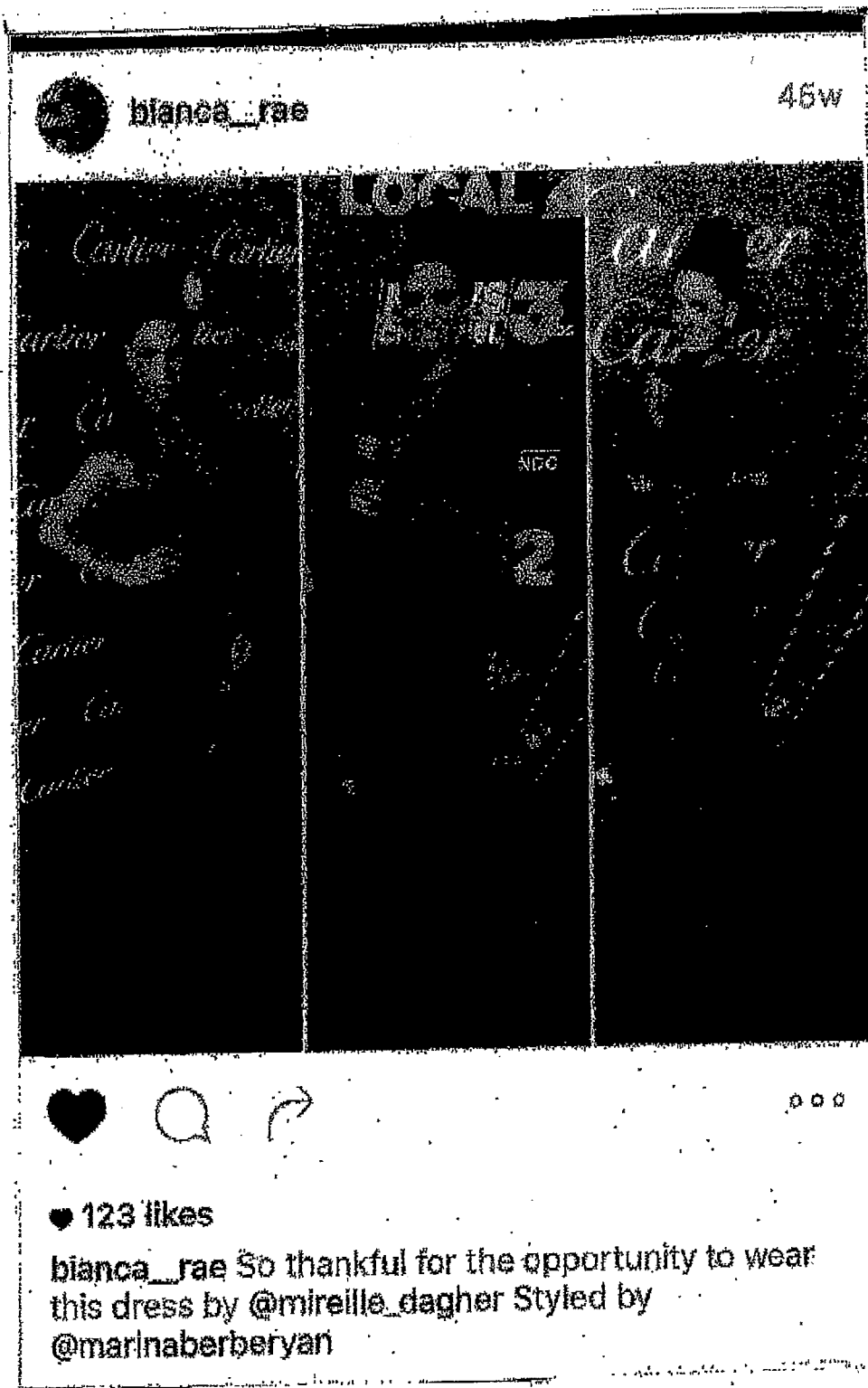
38w



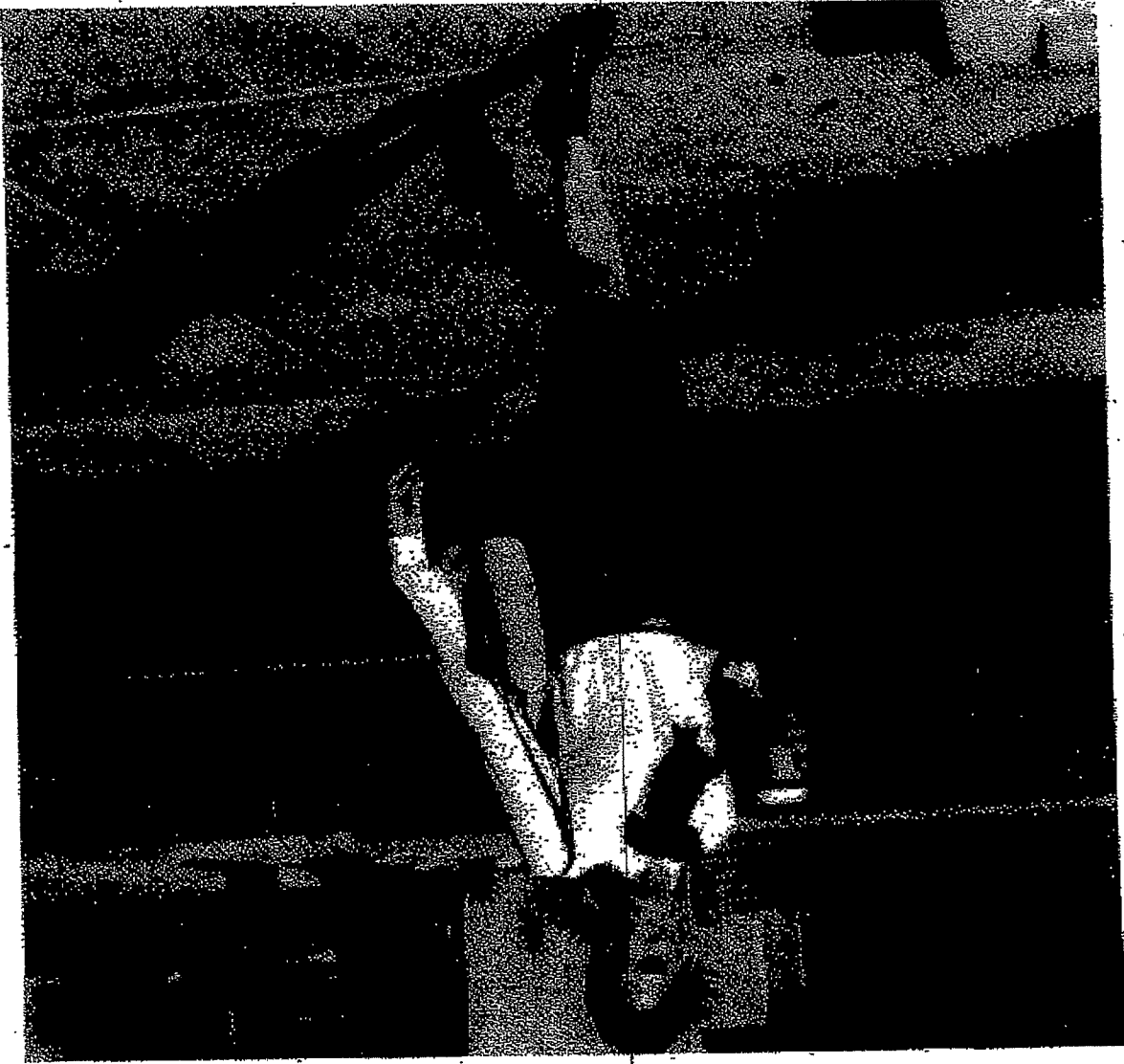
...

♥ 106 likes

bianca\_rae Post #oscars #LOTD only thing I may like better than my pick for Best Dressed last night...is this shirt!! 📷 Shirt: @bebe\_stores @bebepr\_tgirl







113 likes

blanca\_rse

FOLLOW

blanca\_rse Morning anchor, foundation  
president Jack's mom...so many hats all  
before 10:00 am! 🙋🏻🙋🏻🙋🏻 wouldn't have it  
any other way. See you on News Channel 3  
at Noon.

Blouse: @hm  
Skirt: @dodg Power Skirt  
Shoes: @aldo

rappeditfashion Love your look!

blanca\_rse @rappeditfashion thank you!!  
the\_alle\_cat That power skirt life tho!!!!

gator Beautiful!

ardstone Geeeess Bianca! 🙋🏻🙋🏻🙋🏻  
franchesca I love your shoes 🙋🏻🙋🏻🙋🏻

curthits Paige Hi remember me I am  
Paige I was with them at the diabetes walk  
dodgerfashince1971 @blanca\_rse what's  
going on at your Alma mater? Didn't catch

Add a comment



bianca\_\_jae  
KESQ Surf Californi...

FOLLOW

101 likes

130x

bianca\_\_jae Good morning!! I've already said the word Santa twice this newscast. Crazy. I've also said #electionday a lot but that is completely warranted. Tune in for all the info...:) @kesq  
Dress: @hm

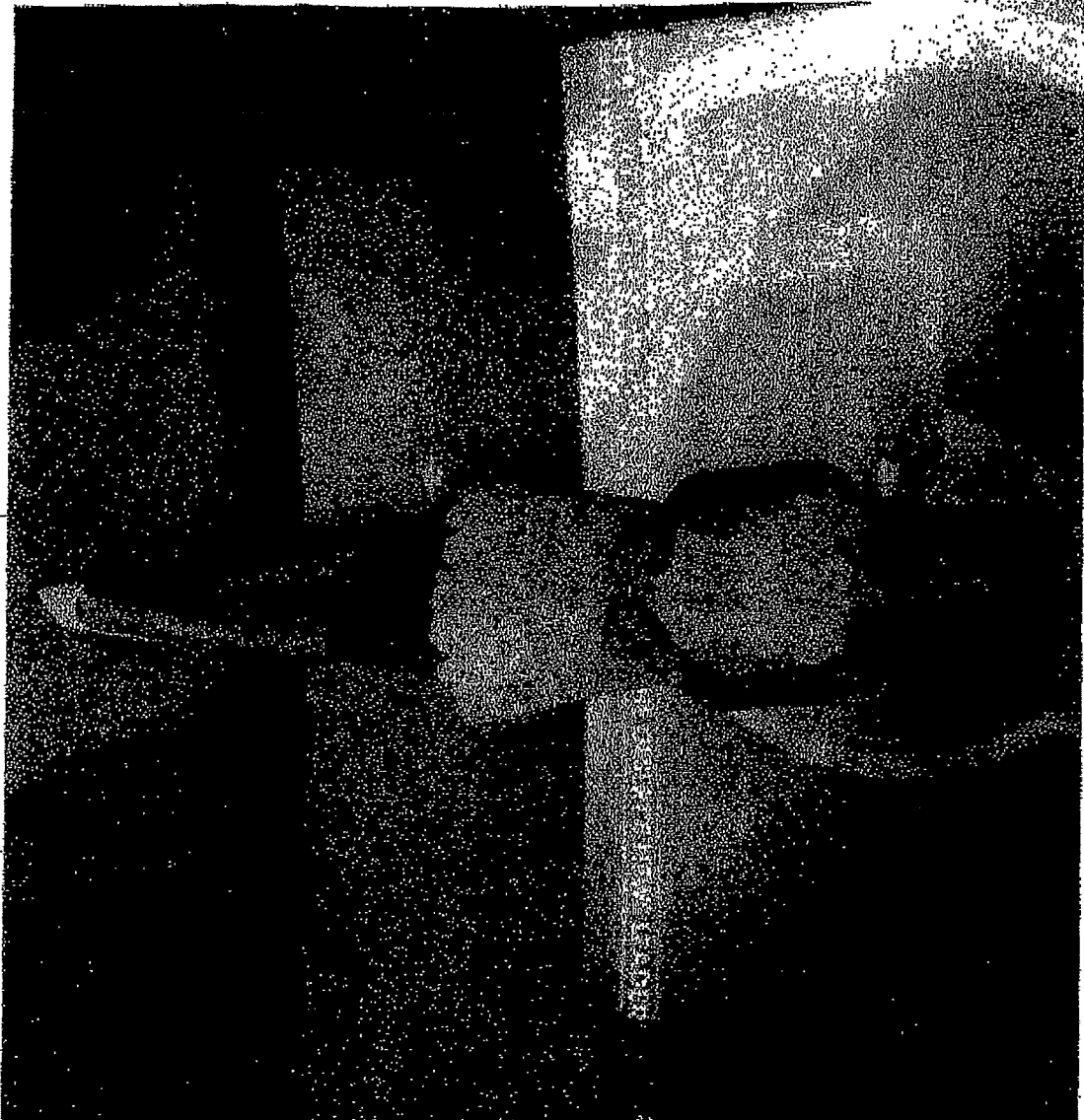
josi92260 My favorite news duo have an awesome day hugs 🤗

davidgonzalez14

...meredlinkay Cute dress!!

Add a comment...

60x



blanca\_\_rae  
KESO Gulf California...

FOLLOW

111 likes

25w

blanca\_\_rae Today on KESO News  
Channel 3 in the Morning... \* \* \* Dress:  
@topshop

lotsflowmovement Knockout sunshine

dodgerfansince1971 @blanca\_\_rae can you  
send my friend @gabe\_mata a "Welcome  
Home" Instagram message. He just arrived  
from Japan on the USS GEORGE  
WASHINGTON.

mzaucha17 Love your dress, Bill! My  
favorite color

dodgerfansince1971 @blanca\_\_rae thank  
you... You are the best...

blanca\_\_rae @dodgerfansince1971 thanks

blanca\_\_rae @mzaucha17 yellow always  
makes me think of you!

blanca\_\_rae @lotsflowmovement thanks

⊕ Add a comment...

...



blanca\_mae



77 likes

62w

blanca\_mae reposted The #GEEK and  
#FASHION are interviewing @michaelcastello  
for #fashionweek at his  
showroom in LA. Wait until you hear  
what he has planned for us at #FWAP.  
I'm talking something they didn't even  
see at #michaelcastello... I stay tuned  
for my story. #fashionweek #fashionshow  
@whipit

cyndraa As you wearing the  
@michaelcastello skirt?

blanca\_mae @cyndraa no the skirt is  
@michaelcastello

cyndraa @blanca\_mae it looks exactly  
like the one @michaelcastello designed last  
year. It's identical.

blanca\_mae @michaelcastello  
would love to be a part that AMAZING  
SHOW at #FWAP

michaelcastello @blanca\_mae @cyndraa

Log in to like or comment.

000



Blanca...  
Blanca...  
Blanca...

Blanca...

Blanca...

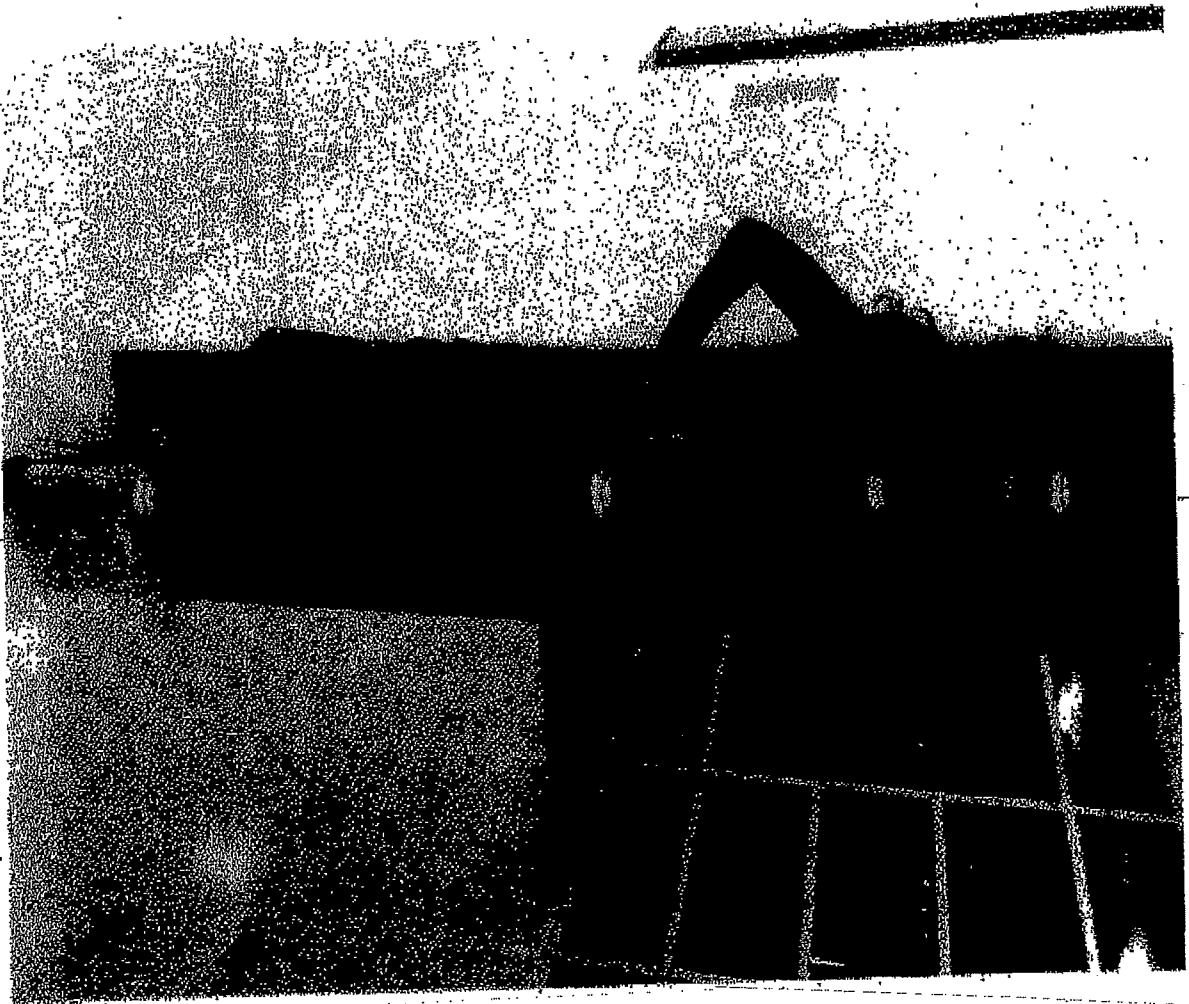
Blanca...

Blanca... She says she's celebrating birthday  
parties and recently had Sharon Stone over  
for dinner. The salad she made was almost  
looked too good to eat. Almost Obviously I  
ate it and it was amazing. Find out what  
@blanpower and some other power  
women chefs have planned for Food &  
Wine Festival Palm Desert... tonight only on  
Eye On the Desert!

Blanca... She says she's celebrating birthday  
parties and recently had Sharon Stone over  
for dinner. The salad she made was almost  
looked too good to eat. Almost Obviously I  
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@blanpower and some other power  
women chefs have planned for Food &  
Wine Festival Palm Desert... tonight only on  
Eye On the Desert!

log in to like or comment

0-09



**bianca\_\_rae**  
Palm Springs Art M...

**FOLLOW**

167 likes

10w

bianca\_\_rae My momma always told me  
"the higher the hair the closer to God."  
#MeetheGolem #bighairdont thank you to  
@mtmas123 @ashvillo @nicoleadversystylist  
and loana at @joseaberrin in the Fitz-  
Carlton for making all this happen.  
#joseaber

ashvillo You are absolutely beautiful!!!! Have  
fun!

thecrossbandmf @briawyn\_\_depp  
williamsalazar598 Beautiful...

jneut You look great!

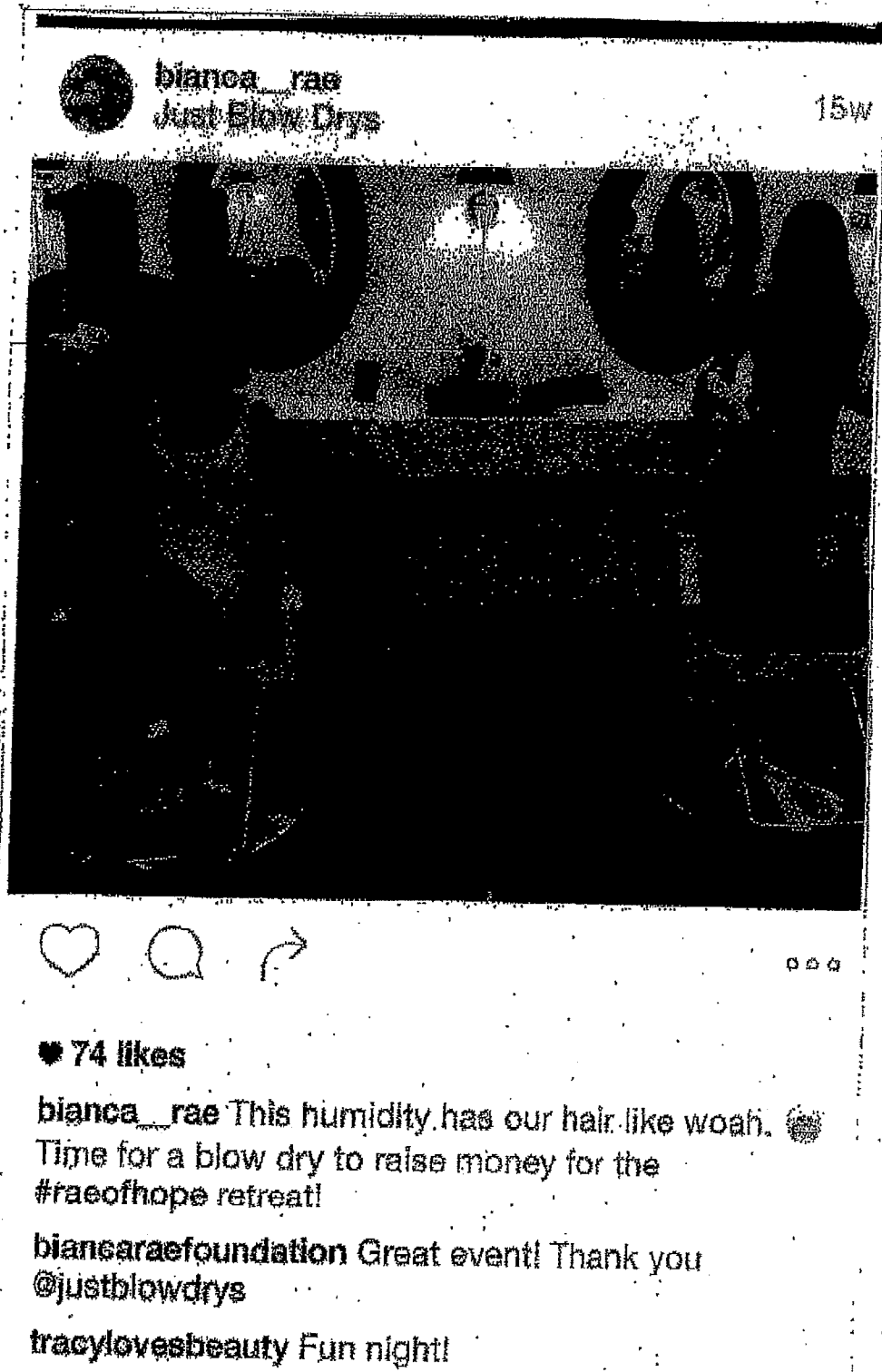
lowdog\_\_real\_deal Uh...mazing  
mtmas123 #stunning!! Hope u have an  
amazing night ☺ such a pleasure!  
awifs You look great, Bianca! Hope all is  
well!!

bianca\_\_rae Thank you @awifs !!

mtmas123 Thank you so much


○ Add a comment...

000



## **Exhibit C**

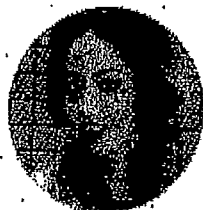




LOCAL

blanca...  
123 likes 72w

blanca... so thankful for the opportunity  
to wear this dress by @mille...  
Styled by @mille...  
krista.kelly Love  
amarnaby24 Beautiful  
davidgonzalez74 Beautiful  
extremely Beautiful choice  
terahjade Perfect choice  
j2151 Perfect choices  
pinkette  
adigan Beautiful  
marnaberyen I'm glad you liked it you  
looked stunning Beautiful  
onatake...  
Log in to like or comment



3539  
posts

39.5k  
followers

1503  
following

+ FOLLOW

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•TV & Online Personality

•Editor-in-Chief: LAFashionJudge.com

•Celeb Fashion Stylist: MarinaBerBeryan.com

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bianca\_rae

45w



...

87 likes

bianca\_rae When the designer whose dress you  
wore Instagrams you love your work

@mireille\_dagher

Styled by: @marinaberberyan

### **Declaration of Alexandra Pawelski**

I, Alexandra Pawelski, hereby declare, under penalty of perjury, as follows:

1. I am greater than eighteen years of age and am competent to make this Declaration.
2. I have read the letter with attachments dated July 25, 2016, to Mr. J. Timothy Hannan from Mr. Matthew L. Conaty (the "Letter") and am familiar with its contents. I have reviewed the social media postings from my accounts included with the Letter.
3. I am an Anchor/Reporter at KESQ-TV, Palm Springs, CA (the "Station") and an employee of Gulf-California Broadcasting Company ("Gulf-California"). I was hired as a general assignment Reporter on or about April 3, 2015. I work Wednesday through Sunday. In approximately October 2015, my duties at the Station expanded, and, since that time, I have also served as an anchor of weekend newscasts.
4. I maintain Facebook, Twitter, and Instagram accounts. The primary focus of my professional social media activity is Facebook, although I occasionally post professional content to Twitter. I have an Instagram account, but I use this for personal purposes. In late June 2016, I created a Station-branded Facebook account (facebook.com/alexandrapiercekesq/). I declined to create a Station-branded Facebook page earlier because, with a new page, I would be posting to a page with no followers or very few followers, and, if I changed the name of my existing page to a Station-branded name, I would only be able to change the name a limited number of times later.
5. I received a copy of and reviewed the Social Networking Policy of Gulf-California's corporate parent, News-Press & Gazette Company. I discussed the Social Networking Policy with my supervisor, Robert Smith. On or about May 17, 2016, I signed the Social Networking Policy.
6. I am and at all relevant times have been aware that acceptance of gratuities or things of value in exchange for the broadcast of any material without an identification of the sponsor of the broadcast are prohibited by the law and company policy.
7. I received, reviewed, and signed a contract with Gulf-California when I was hired as a Reporter on or about April 3, 2015. My contract includes prohibitions on acceptance of gratuities, gifts, and any other things of value without first obtaining the written consent of Gulf-California. My contract also addresses and requires me to adhere to Sections 317 and 508 of the Communications Act of 1934. In addition to my contract, I received, reviewed, and signed a "Disclosure of Payments to Station Employees" form related to compliance with Sections 317 and 508 of the Communications Act of 1934.
8. I have not received, been promised, or requested anything at all of value from any source, including but not limited to the businesses and individuals or anyone

affiliated with the businesses or individuals described in the Letter, in exchange for any broadcast material.

9. Since January 1, 2015, I received reduced-cost hair and makeup services from the following local merchants described in the Letter: Jose Eber Salon at the Ritz Carlton Rancho Mirage. I appeared on KESQ-TV during coverage of the 2016 Palm Springs Film Festival with my hair and makeup as styled by this salon, but I never mentioned or called attention on the air to my hair or makeup, the salon, the Ritz Carlton Rancho Mirage, or my stylist. I paid for everything else I wore during KESQ-TV coverage of the 2016 Palm Springs Film Festival. I appeared with my hair and makeup as styled by the salon in pictures I posted to my personal social media accounts and also mentioned the Jose Eber Salon by name in these social media posts. Neither the Ritz Carlton Rancho Mirage nor the Jose Eber Salon ever asked me to mention them on the air.

10. In approximately November 2015, I received a dress from My Little Bridal Boutique as a "thank you" for serving as one of the judges for a wedding giveaway contest sponsored by a local radio station that is not owned or in any way affiliated with KESQ-TV, Gulf-California, or News-Press & Gazette Company. I did not appear on the air in this dress and never mentioned or called attention to My Little Bridal Boutique on KESQ-TV. My Little Bridal Boutique never asked me to mention the business on the air.

11. I have never received any loans, gifts, or other gratuities or anything of value from any of the following local merchants described in the Letter without paying for the product or service: Best City Nails, Bohimi Couture, Diane von Furstenburg outlet, Effortless Chic Boutique, El Paseo Jewelers, Grayse, Le Chateau Boutique, Michael Costello Designs, Patrick Marchesson Salon, Pernilla Linner Silversmith, Presage, The Jewelry Bar, Marina BerBeryan, Celi That Girl, Lynee LaVoie, or Vanessa Puccini.

**[signature appears on the following page]**

I declare, under penalty of perjury, that the foregoing Declaration is true and accurate to the best of my knowledge, information, and belief.

8/22/16  
Date

Alexandra Pawelski  
Alexandra Pawelski

### **Declaration of Robert Smith**

I, Robert Smith, hereby declare, under penalty of perjury, as follows:

1. I am greater than eighteen years of age and am competent to make this Declaration.
2. I have read the letter with attachments dated July 25, 2016, to Mr. J. Timothy Hannan from Mr. Matthew L. Conaty (the "Letter") and am familiar with its contents.
3. I am the News Director for KESQ-TV and associated stations (collectively, the "Station") owned by Gulf-California Broadcast Company ("Gulf-California"). I am responsible for and oversee the news department, including supervision of on-air talent for the Station.
4. I received a copy of and reviewed the Social Networking Policy of Gulf-California's corporate parent, News-Press & Gazette Company. On or about November 24, 2015, I signed the Social Networking Policy.
5. I discussed the Social Networking Policy with my supervisees in the newsroom, including Bianca Rae Goutos and Alexandra Pawelski. I met with my employees one-on-one to discuss the policy, gave each a copy of the policy, and allowed each employee to read it.
6. Starting in roughly November 2015, I encouraged both Ms. Goutos and Ms. Pawelski to create Station-branded social media accounts, particularly Facebook accounts. However, they initially both resisted doing so. I did not insist that they create Station-branded pages at this time because they had a reasonably large number of followers on their existing personal Facebook pages and the company policy did not immediately and in every case mandate Station-branded social media pages.
7. Sometime before July 2016, I became aware that Ms. Goutos was discussing her wardrobe on her personal Facebook account. I advised her that this was not a good practice and encouraged her to stop this activity. However, as it did not impact her responsibilities and duties for the Station, nor did it implicate broadcasts on the Station in any way, I did not escalate the matter.
8. I am and at all relevant times have been aware that acceptance of gratuities or things of value in exchange for the broadcast of any material without an identification of the sponsor of the broadcast are prohibited by the law and company policy.
9. I received, reviewed, and signed a contract with Gulf-California when I was hired on or about June 1, 2006. This contract, and each subsequent contract I have signed with Gulf-California, includes prohibitions on acceptance of gratuities, gifts, and any other things of value without first obtaining the written consent of Gulf-California.

My contract also addresses and requires me to adhere to Sections 317 and 507 of the Communications Act of 1934. In addition to my contracts, I received, reviewed, and signed a "Disclosure of Payments to Station Employees" form related to compliance with Sections 317 and 507 of the Communications Act on or about June 1, 2006.

10. I have not received, been promised, or requested anything at all of value from any source, including but not limited to the businesses and individuals or anyone affiliated with the businesses or individuals described in the Letter, in exchange for any broadcast material. To my knowledge, no one at the Station has received, been promised, or requested anything at all of value from any source, including but not limited to the businesses and individuals or anyone affiliated with the businesses or individuals described in the Letter, in exchange for any broadcast material.

**[signature appears on the following page]**



I declare, under penalty of perjury, that the foregoing Declaration is true and accurate to the best of my knowledge, information, and belief.

August 22, 2016

Date

Robert Smith

Robert Smith

### **Declaration of Michael Stutz**

I, Michael Stutz, hereby declare, under penalty of perjury, as follows:

1. I am greater than eighteen years of age and am competent to make this Declaration.
2. I have read the letter with attachments dated July 25, 2016, to Mr. J. Timothy Hannan from Mr. Matthew L. Conaty (the "Letter") and am familiar with its contents.
3. I am the General Manager for KESQ-TV and associated stations (collectively, the "Station") owned by Gulf-California Broadcast Company ("Gulf-California"). I have served in this role since June 15, 2011. I was hired by Gulf-California's corporate parent News-Press & Gazette Company ("NPG") as the Corporate Director of News in 2006 and served in this roll until 2014. For a period of time from 2011 to 2014, I was both Corporate Director of News and General Manager of the Station.
4. As General Manager, I am responsible for all aspects Station operations and compliance by Gulf-California with company policies.
5. I received a copy of and reviewed NPG's 2013 Social Networking Policy on or about March 13, 2013. On or about August 23, 2016, I signed the updated Social Networking Policy.
6. I am and at all relevant times have been aware that acceptance of gratuities or things of value in exchange for the broadcast of any material without an identification of the sponsor of the broadcast are prohibited by the law and company policy.
7. As General Manager, I do not have a contract with NPG or Gulf-California. However, I sign all talent employee contracts on behalf of Gulf-California. I have reviewed and signed these contracts several times a year since 2014. When executing these contracts, I routinely review the provisions that include prohibitions on acceptance of gratuities, gifts, and any other things of value without first obtaining the written consent of the company and the provisions that address and require adherence to Sections 317 and 507 of the Communications Act.
8. I have not received, been promised, or requested anything at all of value from any source, including but not limited to the businesses and individuals or anyone affiliated with the businesses or individuals described in the Letter, in exchange for any broadcast material. To my knowledge, no one at the Station has received, been promised, or requested anything at all of value from any source, including but not limited to the businesses and individuals or anyone affiliated with the businesses or individuals described in the Letter, in exchange for any broadcast material.

9. I have not and to my knowledge, following inquiry, the Station has not received any complaint alleging violations of the Commission's sponsorship identification rule, Section 73.1212, or Section 317 and 507 of the Communications Act.

**[signature appears on the following page]**

I declare, under penalty of perjury, that the foregoing Declaration is true and accurate to the best of my knowledge, information, and belief.

Aug. 23, 2016  
Date

Michael S. Stutz  
Michael Stutz